

QUT Business School

Work/Industry Futures Research Program

Submission to the Select
Committee on the Future of Work
and Workers



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January 2018

Introduction

This submission has been compiled by members of the Work/Industry Futures Research Program in the QUT Business School. Bridging academic and organisational contexts, members of the Program examine complex problems at the intersection of business and society in order to address social inequality. The Program's three areas of inter-disciplinary focus – sustainable governance; employability and learning; and just work – acknowledge the profound social implications arising from a globalised, 'collaborative' economy characterised by rapid and extensive technological change. Hence, the program's research and engagement across a wide range of industry, organisational and workplace contexts directly intersects with the terms of reference of the Inquiry. Working with Australian and international partners in the public, private and non-profit sectors, Work/Industry Futures researchers address these and other urgent concerns through research which directly informs innovative and cost-effective social and organisational policy responses. Refer to the attached Appendix for a list of relevant publications authored by Work/Industry Futures members.

In summary, this submission draws the Committee's attention to the following issues as they relate to the first four terms of reference:

a. the future earnings, job security, employment status and working patterns of Australians

Changes to the working patterns of Australians has been profound. They include the expansion of 'flexible' forms of work that may either facilitate or constrain the ability of workers to fulfil obligations across life spheres, a growth in FIFO work, especially in mining and construction, the increased precarity of the workforce, and the emergence of digital platform work, which arguably brings with it a new employment status. These changes have resulted in a greater number of Australians participating in insecure forms of employment that erode income security and have the potential to negatively affect the future earnings of Australians. The rapid rise in participation in unpaid work and internships is emblematic of an insufficient number of entry-level job opportunities, and the current concerning rates of unemployment and underemployment for young Australians.

b. the different impact of that change on Australians, particularly on regional Australians, depending on their demographic and geographic characteristics

Our submission highlights the potentially wide reaching impact of changes which have impacted Australian workers and employers, now and into the future. At particular risk are youth, women, and workers employed in rural and regional locations who increasingly face insecure working arrangements that limit their skill development and career progression.

c. the wider effects of that change on inequality, the economy, government and society

Without continued efforts to appropriately regulate established and emerging modes of employment, and incentives to offer permanent paid employment, current patterns of social and economic inequality are likely to widen. The prevalence of unpaid work and an emphasis on employability over employment has the potential to further marginalise young, disadvantaged workers in particular and prevent efforts to address long term unemployment. Superannuation contributions, workers compensation insurance and employment entitlements are likely to be further eroded as more Australian workers move to casual, self-employed, freelance or other forms of flexible employment. This presents significant concerns for the Australian economy into the future, especially as the Australian population ages.

d. the adequacy of Australia's laws, including industrial relations laws and regulations, policies and institutions to prepare Australians for that change

Developing effective forms of regulation which keep pace with new and emerging forms of work and workplace trends is key to preserving ethical and community norms associated with the current Australian workplace relations framework. For example, with respect to unpaid work, legal apparatus needs to be sufficient to take action against organisations which use interns as a source of free labour. Social safety nets and labour regulation that are tied to traditional or standard employment arrangements will also need adjustment for workers who derive income from digital platforms, where many basic employment protections do not apply.

The submission notes the need for reform to many of Australia's industrial relations laws and workplace policies and makes the following recommendations:

Recommendation 1: *Generate detailed knowledge of the characteristics, motivations and employment circumstances of digital platform work of different skill and scale, such as creative and knowledge workers in addition to those in the transport and care sectors.*

Recommendation 2: *Develop evidence-informed regulatory and policy responses to new and emerging forms of platform work.*

Recommendation 3: *Create platforms for debate that advance consensus about what are appropriate boundaries of social media conduct in relation to work and the employment relationship in ways that balance the competing interests of employees/workers and employers.*

Recommendation 4: *Develop creative and effective labour market policies which lead to demand side job creation which supports Australian youth to find meaningful and secure employment.*

Recommendation 5: *Strengthen regulatory protections and appropriately resource enforcement initiatives that address exploitative unpaid work arrangements.*

Recommendation 6: *Routinely collect and report statistics on unpaid work and internships for the purpose of monitoring trends over time and to inform appropriate responses.*

Recommendation 7: *Encourage and reward effective organisational policy responses to the problem of longer and more intense working arrangements caused by current work and salary structures that inhibit the use of flexible work arrangements, especially in senior roles.*

Recommendation 8: *Work with employer groups to develop best practice FIFO policies which limit maximum work cycles, recognise the diversity of the FIFO workforce, and take into account not only the individual FIFO worker, but their families and communities.*

Recommendation 9: *Develop more effective workplace actions and regulation which addresses persistent and pervasive gender inequality, including the unfavourable and discriminatory conduct that continues to occur in many Australian workplaces.*

Commentary on the future of work has been contentious and polarised. Some contend that sweeping changes are creating a future of impermanence, inequality and job insecurity. Others see a utopian shift in which machine labourers create time for leisure and new opportunities for cooperation. What is clear is that current and future trends are fundamentally challenging many of the institutions on which Australia and other post-industrial societies have been built. These challenges include how to guarantee income security in the face of shrinking labour markets and employment precarity, and manage rising inequality and social exclusion.

In addressing the terms of reference of this Inquiry, the submission takes a thematic approach focussing on overarching trends that are already having a major impact on Australian workers, organisations, and society and which are likely to have even greater effects in the years to come. In support of our claims, we summarise the relevant published Australian and international evidence that is available. Importantly, we also point out where public commentary on the future of work has tended to be speculative rather than informed by evidence. Acknowledging that the focus of the inquiry is the impact of technological change on the future of work and workers, the first themes within our submission consider how work is affected by the gig economy and the prevalence of social media. Beyond technology, there are however many other critical trends relevant to the terms of reference that affect the future of work and workers in Australia, which are discussed in subsequent themes.

Theme 1: Expansion of digital platform work

A core component of the 'gig' or 'on-demand' economy, digital platforms exist across various locations and scales and act as intermediaries using what is known as 'algorithmic management' to connect individual workers with end-users (enterprises or consumers) seeking specific services. Platform work can be observed in numerous industries, encompassing both tasks that can be executed or communicated online (e.g., graphic design; programming) and 'real life' work (e.g., driving; cleaning). It may be performed by a specified individual or divided into smaller tasks undertaken by a 'virtual cloud' of workers.¹ In this respect, the internet has been effectively elevated from a mere bulletin board into the organisation of work itself.²

Although the number of gig economy platforms has increased dramatically in recent years, the proportion of Australians who currently work on platforms more than once per month is estimated to be fairly small.³ Importantly, however, these estimates exclude many workers who use platforms as a secondary source of income.⁴ Studies have suggested that on-demand labour in the gig economy will become much more extensive, especially with respect to local services such as transportation, eating out, hospitality and art/entertainment⁵ and it is highly likely that platforms will attract new workers in the future as downsizing in some industries encourages the transition from traditional employment to freelancing and self-contracting.^{6,7} Typically, platform workers are claimed not to be employees,

¹ Eurofound (2015) *New forms of employment*. Publication Office of the European Union: Luxembourg.

² Drahokoupil J & Fabo B (2016) *The Platform Economy and the Disruption of the Employment Relationship*. European Trade Union Institute (ETUI): Brussels.

³ Minifie J (2016) *Peer-to-Peer Pressure: Policy for the Sharing Economy*, April, Grattan Institute.

⁴ JPMorgan (2016) *Paychecks, Paydays, and the Online Platform Economy: Big Data on Income Volatility*, Feb, JPMorgan Institute.

⁵ Harris S & Krueger A (2015) A proposal for modernizing labor laws for twenty-first-century work: The "independent worker". Discussion paper. Hamilton Project: Brookings.

⁶ Degryse C (2016) *Digitalisation of the Economy and its Impact on Labour Markets*. Working paper 2016.02. ETUI: Brussels.

⁷ Productivity Commission (2016) *Digital Disruption: What Do Governments Need to Do?* Australian Government, Canberra.

but rather ‘self-employed contractors’ or ‘freelancers’ who are nevertheless instructed, tracked and evaluated to deliver a responsive, seamless service.⁸

Platform workers are thought to derive benefits such as flexibility, autonomy and better work-life balance, skill development, new opportunities to earn a living or ability to receive a supplementary income.^{7,9} However, the nature of their employment relationship can be considered precarious due to the low income security, minimal worker entitlements, a lack of superannuation contributions and few opportunities for career development. Furthermore, rates of pay for digital platform work are often significantly lower than the minimum wage.¹⁰

A recent UK ruling on the status of Uber drivers suggests some forms of platform work may be covered by existing labour laws.¹¹ However, as the Productivity Commission (2016)⁷ has emphasised, it is highly likely that regulatory changes will be required to accommodate this growing category of employment. Characteristically, platform work produces a partial offshoring effect from local labour markets and increases competition between workers on local and transnational scales through platform reputation mechanisms known as ‘begging and bragging’ that encourage the marketization of work.^{12,13,2,14} Together these features place downward pressure on pay and working conditions and suggest that the organisation and experience of platform work may be profoundly different from traditional modes of employment. These changes may have wide-reaching social and economic implications.

The Work/Industry Futures Research Program has commenced an extensive research program which critically examines the relationships between platform workers and platform intermediaries the role played by end-user enterprises and individuals. While a growing body of government reports, consultant papers and policy briefs has speculated about ‘megatrends’ in the gig economy, this submission recommends support for a more detailed and evidenced-based analysis of work in the digital economy. This will enable the development of evidence-informed policy responses to labour market trends.

Recommendation 1: *Generate detailed knowledge of the characteristics, motivations and employment circumstances of digital platform work of different skill and scale, such as creative and knowledge workers in addition to those in the transport and care sectors.*

Recommendation 2: *Develop evidence-informed regulatory and policy responses to new and emerging forms of platform work.*

Theme 2: Social media in organisational life

Defined as virtual networks and communities that enable individuals to create, exchange and disseminate information and ideas, social media has become a pervasive feature of the contemporary employment relationship, fundamentally altering the reach, speed, and permanency of work-related

⁸ O’Connor DC (2016) Standard principles for installing a social media control framework for supply chain risk management. *Electronic Data Programming Audit, Control and Security (EDPACS)*, 54(3), 11-17.

⁹ Valencu G & Vendramin P (2016) *Work in the Digital Economy: Sorting the Old from the New*. European Trade Union Institute Working paper 2016.03. Brussels.

¹⁰ Unions NSW (2016) *Innovation or Exploitation: Busting the Airtasker Myth*. Unions NSW, Sydney.

¹¹ Osborne H (2016) *Uber loses right to classify UK drivers as self-employed*. Guardian, 29 October 2016.

¹² Boyce A, Ryan A, Imus A & Morgeson F (2007) Temporary worker, permanent loser? A model of the stigmatization of temporary workers. *Journal of Management*, 33(1), 5-29.

¹³ Huws U (2014) *Labor in the Global Digital Economy: The Cybertariat Comes of Age*. Monthly Review Press: New York.

¹⁴ Pfeiffer S (2013) Web, value and labour. *Work Organisation, Labour & Globalisation*, 7(1), 12-30.

conduct and expectations.^{15,16} At the same time, tensions around the dynamics of social media within the boundaries of the employment relationship are increasingly evident, with debates about what is considered appropriate, normative or legitimate being played out in the media and blogosphere, as well as in courts and employment tribunals.¹⁷

Employers are using social media to access information from private digital networks to select suitable job candidates and monitor the behaviour of employees to an extent not previously possible.¹⁸ Meanwhile, employees can vent negative views and experiences concerning the circumstances of their employment – often to ‘friends’ on platforms such as Facebook – and defame co-workers, divulge company confidentialities, and destroy both individual and organisational reputations.¹⁹

We are in the early stages of development of contestation between employers and employees associated with social media at work and there is much to be learned about how boundary changes in general, and the role of social media in particular, are perceived and enacted by managers and workers. More empirically-driven research is required concerning the phenomenon of the employees’ colonisation of cyberspace and exploration of how such processes may shed light on a wider range of issues in unpredictable work environments and the ever more precarious nature of employment.²⁰ Key institutional actors, including employers and workers, but also unions and governments, have thus far taken a predominantly hands-off approach to tensions surrounding social media in the workplace. This is despite the growing ambiguity, visibility and contestability of the issue in public, media and legal debates and the considerable penetration of social media into the workplace, including its capacity to alter workplace conduct in fundamental ways.

Recommendation 3: *Create platforms for debate that advance consensus about what are appropriate boundaries of social media conduct in relation to work and the employment relationship in ways that balance the competing interests of employees/workers and employers.*

Theme 3: Youth employability and labour markets

Broad labour market trends affecting Australia and many other industrialised economies have profoundly changed the nature of youth transitions from education to work. Youth transitions have become *longer*, especially with the expansion of higher and further education, more *precarious and complex*, which is associated with vulnerability to job loss and unemployment, and *differentiated and individualised*, due to the pluralisation of options in education and the labour market.^{21,22,23} Of these social and institutional dimensions of youth trajectories, the most evident in recent years, has been

¹⁵ Ellerbrok A (2010) Empowerment: Analysing technologies of multiple variable visibility. *Surveillance & Society*, 8(2), 200-220.

¹⁶ Jacobson W & Howle Tufts S (2013) To post or not to post: Employee rights and social media. *Review of Public Personnel Administration*, 33(1), 84-107.

¹⁷ McDonald P & Thompson P (2016) Social media(tion) and the reshaping of public/private boundaries in employment relations. *International Journal of Management Reviews*, 18(1), 69-84.

¹⁸ McDonald P, Thompson P & O’Connor P (2016) Profiling employees online: Shifting public-private boundaries in organisational life. *Human Resource Management Journal* 26(4), 541-556.

¹⁹ Lucero MA, Aleen RA & Elzweig B (2013) Managing employee social networking: Evolving views from the National Labor Relations Board. *Employee Rights & Responsibilities Journal*, 25, 143-158.

²⁰ Richards J & Kosmala K (2013) ‘In the end, you can only slag people off for so long’: Employee cynicism through work blogging. *New Technology, Work & Employment* 28(1), 66-77.

²¹ Bradley H & Devadason R (2008) Fractured transitions: Young adults’ pathways into contemporary labour markets. *Sociology*, 42(1), 119-136.

²² Furlong A & Cartmel F (1997) *Young People and Social Change*. Open University Press, Buckinghamshire.

²³ Roberts K (1995) *Youth and Employment in Modern Britain*. University Press, Oxford.

youth unemployment.²⁴ In Australia, youth unemployment (15 to 24 years) runs at a concerning 12.2%, accounting for 35.8% of unemployed people aged 15 to 64 years.²⁵ The costs for young people who cannot get a foothold in the workforce can be immense, including extended reliance on income-support payments and other social services, poorer health outcomes and marginalisation from their communities.²⁶

A related and growing youth labour market concern is underemployment²⁷. Entry-level job opportunities available to young people are increasingly casual, temporary or part-time. High rates of turnover, stagnant wage levels, temporary and part-time contracts, irregular work patterns and vulnerability to job loss are characteristic features of the formal service economy where young people are likely to work.²⁸ In some cases, these jobs can be stepping stones to more stable careers, but when employment protection regulations and social security coverage differ substantially between temporary and permanent workers, a two-tier or segmented labour market can result.²⁹ Closely associated with strong competition for entry-level jobs is the notion of credential inflation.³⁰ In the UK for example, one-third of young graduates are employed in medium and low skilled jobs; many of which do not require a degree. They have higher employment rates than non-graduates but have experienced a decline in their high skilled employment rate in recent years.^{31,32}

Where governments have responded to the challenge of youth unemployment, they have tended to do so by relying on supply side strategies focused on ‘activating’ the individual, rather than demand side job strategies addressing job creation in the labour market.³³ It is within this context that the notion of ‘employability’ has come to the fore in public policy and political rhetoric. Employability can be understood as the package of skills, personal attributes, attitudes, knowledges, and experiences³⁴ that enhance an individual’s likelihood of gaining employment.³⁵ The concept is useful for informing the extent to which young people are adequately prepared to participate in the labour market. In recent years, for example, there has been a focus on digital capabilities and employability, with digital literacy identified as both in high demand from employers and under-developed in school and tertiary educational contexts.^{36,37} However, the notion of employability has also been critiqued for underplaying the social and political contexts in which young people seek employment and for being

²⁴ Moore K, Grant-Smith D & McDonald P (2016) *Addressing the Employability of Australian Youth*. Queensland University of Technology. <https://eprints.qut.edu.au/101728/>

²⁵ Australian Bureau of Statistics (2016) *Labour Force*, October. Cat. no. 6202.0. ABS, Canberra, Australia.

²⁶ Brotherhood of St Laurence (2014). *Investing in Our Future: Opportunities for the Australian Government to Boost Youth Employment*. Brotherhood of St Laurence, Fitzroy.

²⁷ Underemployment is where an employed person would like to work more hours.

²⁸ Ross A (2008) The new geography of work: Power to the precarious? *Theory, Culture & Society*, 25, 31-49.

²⁹ OECD (2013) *The OECD Action Plan for Youth: Giving Youth a Better Start in the Labour Market*. Meeting of the OECD Council at Ministerial Level, Paris, 29-30 May, OECD Publishing.

³⁰ Tomlinson M (2008) ‘The degree is not enough’: Students’ perceptions of the role of higher education credentials for graduate work and employability. *British Journal of Sociology of Education*, 29(1), 49-61.

³¹ Department for Business Innovation & Skills (2016) *Graduate Labour Market Statistics: 2015*. UK Government.

³² Office for National Statistics (2012) *Graduates in the labour market: 2012*. http://www.ons.gov.uk/ons/dcp171776_259049.pdf.

³³ Mitchell WF & Muysken J (2008) *Full Employment Abandoned: Shifting Sands and Policy Failures*. Edward Elgar, Aldershot.

³⁴ Dacre Pool L & Sewell P (2007) The key to employability. *Education+Training*, 49(4), 277-289.

³⁵ Fugate M, Kinicki A.J. & Ashforth B.E. (2004) Employability: A psycho-social construct, its dimensions, and applications. *Journal of Vocational Behavior*, 65(1), 14-38.

³⁶ Foundation for Young Australians (2016) *New Work Order Report: The New Basics*. Melbourne, 1-24

³⁷ Digital work practices: where are the jobs, what are they, and how prepared are graduates? (2018) Australian Tertiary Network Project. <https://sites.rmit.edu.au/digitalworkpractices/>

underpinned by an entrepreneurial risk model which assumes high levels of education and social capital.^{38,39,40}

An emphasis on employability is associated with increased expectations of employers for young people to enter the labour market oven-ready and self-basting⁴¹; that is, to have prior qualifications, relevant workplace experience, and well-developed hard and soft skills. This is the case even for entry-level jobs. The provision of in-house training, which was at one time an integral component of entry-level jobs, has significantly diminished and the costs of such training and development have been substantially shifted to the individual worker. The focus on employability shouldn't detract attention from what is required to create meaningful and secure employment. Employees see job security as more important than opportunities for acquiring new employability skills because employment is of greater significance to them than employability per se.⁴²

Recommendation 4: *Develop creative and effective labour market policies which lead to demand side job creation which supports Australian youth to find meaningful and secure employment.*

Theme 4: Unpaid and underpaid work

Participation in unpaid work is increasingly experienced as a legitimate and potentially effective means through which to stand out from peer job-seekers in a highly competitive labour market. Employers, education providers, governments and unpaid workers themselves have all contributed to the expansion of unpaid work, which has become a key feature of the youth employment landscape and looks set to remain so into the future.

A recent Australian prevalence study of a representative sample of the Australian working-age population found that one-third (34%) of respondents aged 18-64 and more than half (58%) of respondents aged 18-29 reported having undertaken at least one episode of unpaid work in the previous five years.⁴³ Unpaid work is often seen by employers as an effective way to evaluate or trial prospective employees. However, with ubiquitous participation in unpaid work comes a competitive cycle where a new, normative benchmark is created and where individuals may feel pressured to engage in more frequent and/or longer periods of unpaid work.^{44,45,46}

Although empirical evidence of long-term employment outcomes attributable to participation in unpaid work is scant,⁴⁷ proponents of unpaid work highlight the benefits of increased workplace exposure in enhancing employability through the development of interpersonal, social and

³⁸ Cooper M (2008) The inequality of insecurity: Winners and losers in the risk society. *Human Relations*, 61, 1229-1257.

³⁹ McCash P (2006) We're all career researchers now: Breaking open career education and DOTS. *British Journal of Guidance & Counselling*, 34(4), 429-449.

⁴⁰ Osborne N & Grant-Smith D. (2017) Resisting the 'employability' doctrine through anarchist pedagogies and prefiguration. *Australian Universities' Review*, 59(2), 59-69.

⁴¹ Atkins MJ (1999) Oven-ready and self-basting: Taking stock of employability skills. *Teaching in Higher Education*, 4, 267-280.

⁴² Marks A & Huzzard T (2010) Employability and the ICT worker: A study of employees in Scottish small businesses. *New Technology, Work & Employment*, 25(2), 167-181.

⁴³ Oliver D, McDonald P, Stewart A & Hewitt A (2016) *Unpaid Work Experience in Australia: Prevalence, Nature and Impact*. Report prepared for the Commonwealth Department of Employment (January). University of Technology Sydney.

⁴⁴ Grant-Smith D & McDonald P (2016) The trend toward pre-graduation professional work experience for Australian young planners: Essential experience or essentially exploitation. *Australian Planner*, 53(2), 65-72.

⁴⁵ Grant-Smith D & McDonald P (2017) Ubiquitous yet ambiguous: An integrated review of unpaid work. *International Journal of Management Reviews*, online, 1-20. doi:10.1111/ijmr.12153

⁴⁶ Grant-Smith D & McDonald P (2017) Planning to work for free: Building the graduate employability of planners through unpaid work. *Journal of Youth Studies*, online, 1-17. doi:10.1080/13676234.2017.1357804.

⁴⁷ Silva P, Lopes B, Costa M, Melo AI, Paiva Dias G, Brilo E & Sebra D (2016) The million-dollar question: Can internships boost employment? *Studies in Higher Education*, online, 1-20. doi:10.1080/03075079.2016.1144181

professional skills and networks.^{48,49,50} Critics, however, emphasize a range of negative outcomes that may be incurred, including exploitative and unsafe work practices and social exclusion^{51,52}, the unevenness of unpaid work experiences with respect to the accrual of benefits^{53,54,55} and challenges to access by those who are economically disadvantaged. Meanwhile, the development of appropriate legal safeguards is struggling to keep pace with changes in the practice of unpaid work around the world.⁵⁶

Recommendation 5: *Strengthen regulatory protections and appropriately resource enforcement initiatives that address exploitative unpaid work arrangements.*

Recommendation 6: *Routinely collect and report statistics on unpaid work and internships for the purpose of monitoring trends over time and to inform appropriate responses.*

Theme 5: Flexibility, Mobility and New Patterns of Working

The Australian labour market is characterised by an increasing number of older workers, women, working sole parents and dual-income couples.²⁵ As a consequence, the working patterns of Australians have changed. Organisations have responded by instituting flexible work practices to accommodate the work-life demands of labour market participants. The provision of flexible work arrangements (FWAs) is currently supported through industrial and legislative protections such as paid parental leave and right to request legislation (Fair Work Act, 2009), and FWAs are often used by employers as a means to attract and retain workers, increase workforce diversity or transition older workers to retirement.

Yet Australian workers are reluctant to access FWAs available to them and continue to experience conflict between paid work and personal obligations.⁵⁷ Cultural and structural barriers within organisations and a lack of supervisory support for FWAs can lead to negative stigma and consequences such as fewer promotional opportunities, reduced access to training and career development, and a perceived lack of commitment to the organisation and career. Those employees who do use FWAs report that mobile technologies and long working hours result in work intensification that threatens an appropriate balance between paid work and other areas of life.^{58,54}

⁴⁸ Gault J, Redington J & Schlager T (2000) Undergraduate business internships and career success: Are they related? *Journal of Marketing Education*, 22, 45-53.

⁴⁹ Gault J, Leach E & Duey M (2010) Effects of business internships on job marketability: The employers' perspective. *Education+Training*, 52, 76-88.

⁵⁰ Knouse S & Fontenot G (2008) Benefits of the business college internship: A research review. *Journal of Employment Counseling*, 45, 61-66.

⁵¹ Allen K, Quinn J, Hollingworth S & Rose S (2013) Becoming employable students and 'ideal' creative workers: Exclusion and inequality in higher education work placements. *British Journal of Sociology of Education*, 34, 431-452.

⁵² Burke D & Carton R (2013) The pedagogical, legal and ethical implications of unpaid internships. *Journal of Legal Studies Education*, 30, 99-130.

⁵³ Bennett AM (2011) Unpaid internships and the Department of Labor: The impact of underenforcement of the Fair Labor Standards Act on equal opportunity. *University of Maryland Law Journal of Race, Religion, Gender and Class*, 11, 293-313.

⁵⁴ Braun S (2012) The Obama 'crackdown': Another failed attempt to regulate the exploitation of unpaid internships. *South Western Law Review*, 41, 281-307.

⁵⁵ Gessner J (2015) How railroad brakemen derailed unpaid interns: The need for a revised framework to determine FLSA coverage for unpaid interns. *Indiana Law Review*, 48, 1053-1088.

⁵⁶ Stewart A, Oliver D, McDonald P & Hewitt A (2018, forthcoming) Challenges in designing and enforcing the regulation of unpaid work experience in Australia. *Australian Journal of Labour Law*.

⁵⁷ Chapman J, Skinner N & Pocock B (2014) Work-life interaction in the twenty-first century Australian workforce: Five years of the Australian Work and Life Index. *Labour & Industry*, 24(2), 87-102.

⁵⁸ White M, Hill S, McGovern P, Mills C & Smeaton D (2003). 'High-performance' management practices, working hours and work-life balance. *British Journal of Industrial Relations*, 41(2), 175-195.

The under-utilisation of FWAs is particularly prevalent in senior roles where workplace norms have established an unspoken career ceiling on FWA use.⁵⁹ Furthermore, there is a persistent perception that FWAs only benefit women, despite comprehensive research challenging this myth⁶⁰. This has implications for the achievement of diversity and gender equity targets. For example, the Australian finance industry, with a predominantly female workforce (56%), has the highest number of written FWA policies and relatively high levels of FWA use. Yet the industry has a relatively low representation of women in leadership positions (26%) and the highest gender pay gap of any industry in Australia⁶¹ suggesting that FWAs in this industry have not advanced gender equity.

Flexible work practices also extend to flexible forms of organising and accessing labour, such as the increasing use of casual and contract staff or the emergence, particularly in rural and regional Australia of a “fly in fly out” (FIFO) workforce. Despite the growth of FIFO arrangements in Australia, studies have largely failed to acknowledge the complex social and cultural issues surrounding FIFO work.⁶² Extended and frequent absences from family and friends, combined with long hours and compressed work weeks lower the psychological wellbeing of FIFO workers⁶³, and place considerable pressure on the emotional environment experienced in the family home.⁶⁴ In an industry subject to considerable political, economic and environmental pressures, FIFO work, which is largely contract-based employment arrangements, has proven to be a precarious form of employment, where large scale layoffs impact on the future earnings of both the workers and the regional and rural towns from which they fly in and fly out.

Recommendation 7: *Encourage and reward effective organisational policy responses to the problem of longer and more intense working arrangements caused by current work and salary structures that inhibit the use of flexible work arrangements, especially in senior roles.*

Recommendation 8: *Work with employer groups to develop best practice FIFO policies which limit maximum work cycles, recognise the diversity of the FIFO workforce, and take into account not only the individual FIFO worker, but their families and communities.*

Theme 6: Persistent and pervasive gender inequality in the workplace

Attempts to redress gender equality in the workplace will remain a core focus in the future of work. Recently, for example, we have seen a tsunami of revelations of workplace sexual harassment – both recent and historical - across industry sectors in Australia and internationally. Australia has also seen a revival of robust public debate on gender pay equity and continued efforts to ensure new parents have access to sufficient paid parental leave to support their health and wellbeing. Despite indicators that Australian women have made significant advances in achieving equality with men, Australia is ranked 24th on a global index measuring gender equality, slipping from a high point of 15th in 2006.⁶⁵ Further, the national gender pay gap in Australia currently stands at 15.3 per cent and has stubbornly remained between 15 per cent and 19 per cent for the past two decades.⁶¹

⁵⁹ Williams P, McDonald P & Cathcart A (2017) Executive-level support for flexible work arrangements in a large insurance organization. *Asia Pacific Journal of Human Resources*, 55: 337–355.

⁶⁰ Cathcart, A., McDonald, P. & Grant-Smith, D. (2014). Challenging myths about flexible work in the ADF. *Australian Defence Force Journal*, 195, 55-68.

⁶¹ Workplace Gender Equality Agency (WGEA) (2017, August). Australia’s gender pay gap statistics, p. 3.

⁶² Di Milia L & Bowden B (2007) Unanticipated safety outcomes: Shiftwork and drive-in, drive-out workforce in Queensland’s Bowen Basin. *Asia Pacific Journal of Human Resources*, 45(1), 100-112.

⁶³ Langdon R, Biggs H & Rowland B (2016) Australian fly-in, fly-out operations: Impacts on communities, safety, workers and their families. *Work: A Journal of Prevention Assessment & Rehabilitation*, 55(2), 413-427.

⁶⁴ Pini B & Mayes R (2012) Gender, emotions and fly-in fly-out work. *Australian Journal of Social Issues*, 47(1), 71-86, 3-4.

⁶⁵ World Economic Forum (2013). Global gender gap report, pp. 8-9.

The recent spate of sexual harassment cases is emblematic of the persistence and pervasiveness of gender inequality across industries and workplaces. Workplace sexual harassment is problematic in a unique and corrosive way in that it strips away an individual's identity, reduces the quality of working life, creates barriers to full and equal participation in the workplace and imposes costs on organisations.^{66,67} Experiencing sexual harassment often represents a turning point in the lives of targets, altering their progression through life-course sequences and hindering positive work and family outcomes.⁶⁸ Evidence indicates that sexual harassment continues to be experienced mainly by women, but also by some men, and that those who experience it are often reticent to report the problem or seek assistance.^{69,70} Organisational strategies are fundamental in creating an organisational climate that discourages sexual harassment, however, to date, these have been less than effective.

A lack of workplace gender diversity has significant negative implications for individual careers, future workplace practices and society more broadly. There is a need for a continued focus on the visible barriers and invisible biases in organisational processes which shape and perpetuate gender inequality in the everyday experiences of women and some men. Such processes may include job design, policy agendas, supervisory power, physical features of the workplace, and gendered identities. For organisations, the nature, extent, and consequences of these problems may be obscured, preventing the development of effective strategic interventions and the sustainability of these measures.⁷¹ Accordingly, there is a need for continued vigilance and sustained efforts to redress sex discrimination, sexual harassment, everyday sexism and sexual violence in the workplace.

Recommendation 9: *Develop more effective workplace actions and regulation which addresses persistent and pervasive gender inequality, including the unfavourable and discriminatory conduct that continues to occur in many Australian workplaces.*

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APPENDIX

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Theme 1: Expansion of digital platform work

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