

Submission for consideration by the Inquiry into Home Work Balance for Women.

To whom it may concern,

Submission No: 190  
Authorised: 10/5/06



Attached is a copy of a letter sent to Kevin Andrews (and copies sent to many ministers including Michael Wright) concerning pregnancy in the workforce.

This letter clearly outlines some key aspects and concerns in the matter of home work balance for women.

To date this matter is still being pursued on an administrative level (not legally) and due to the fact that I do not wish to jeopardize any future outcome I have blanked out the distinguishing features of both my own and my former employers names.

I ask that in debating the issues of home work balance for women the inquiry also take into account employers reactions to pregnancy and child rearing, I was more than happy to try and strike a balance between home and work but am unable to do so now that I have been made redundant. It is very difficult for me to get a new job as I need to organize childcare in advance of receiving a position and waiting lists for quality childcare are prohibitive. If I do gain some casual work I have no childcare either as all family members work or are ill. My husband and I now struggle on one wage and will be doing so until either we can line up a job and childcare to start at the same time, as I cannot afford to pay for childcare on a day I am not working or until our daughter goes to school when we will need to organize afterschool and before school care or I can organize a job that has suitable working hours.

I would like to point out two important facts

- I would not be in this position and would be working in a full time permanent position with my child in a quality childcare placement right now if my former employer had not made me redundant.
- What happens with our family? When do we fit in another child? Should we do it now while I am not working and add more time to my years out of the workforce or do we wait? If we wait what is stopping the next employer from doing the same thing and sending us back into this situation?

I should have a work home choice but I feel this has been removed from me due to prejudice. Pregnancy is not a terminal illness for businesses although some react as if it is. I don't pretend to know the answer because I do not, however the business culture in the country needs to be looked at if we are going to give choice to women and indeed necessary if we are going to raise our population while retaining women in the workforce.

Home and work balance for women is a very important issue to most families in this state and I would like to thank you for taking the time not only to consider my own position and concerns but also those of thousands of families in South Australia.

Yours Faithfully,



1st Floor  
651-653 Doncaster Road  
Doncaster Vic 3108

5<sup>th</sup> December 2005

Kevin Andrews MP

Minister Assisting the Prime Minister for the Public Service; Minister for Employment and Workplace Relations.

Re: Termination of Employment due to Pregnancy

Dear Sir

From May of 2004 till March of 2005 I worked for ██████ Employment Services, a non-profit organization which gains funding from DEWR under a job network contract. I am completely convinced that ██████ Employment Services decision to make my position redundant was due to my pregnancy. This conviction is based upon this organizations almost blatant admission of this in their behaviour after I advised my managers of my pregnancy. Examples of this behaviour include the following:

- I was told that although I had accumulated overtime hours which in this organization at this time were not paid but accrued as hours staff could use as paid time off for example for a personal appointment, that these were not to be abused and it was suggested to me that I may wish to change my chosen doctor to one that works more business friendly hours.
- Asked to provide letter from GP re my pregnancy as soon as possible.
- Asked to provide manager with decision on length of unpaid maternity leave within 24 hours, even though I was only 9 weeks pregnant.
- When I provided my manager with a request of six months I was told that I would have to return to my position at the completion of this time and that I would be issued with a letter outlining the organizations acceptance of this request after they had discussed it at their next board meeting.
- I asked my manager if it would be possible for me to take my annual leave adjacent to my maternity leave and I was told I would receive an answer after the board meeting.
- The day of the board meeting I was requested to attend an informal chat with my managers at the end of my working day and was offered not unpaid maternity leave or an answer on the question of annual leave but was made redundant.
- After I was made redundant despite not being the newest staff member in the organization and despite receiving a bonus due to the companies financial success and my work performance only weeks before, I discovered that the organization had listed a position on seek.com only days after being made aware of my pregnancy, which was almost identical to that which I had been made redundant from.

I have sought legal advice on this matter and was told that I have a very good case for discrimination. I was also advised that due to the stressful nature of pursuing this legally I should wait till after the birth of my child, which I have done and that the likely outcome of any legal action would be the reinstatement of my position at ██████ Employment Services. After due consideration I have decided that reinstatement of my position would be inappropriate for both parties involved as it would be likely to provide a very uncomfortable working environment and due to this being a matter of public service workplace behaviour (as they are contracted to DEWR) the most appropriate course of action would be to request a governmental response.

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My primary concern is that a federally contracted organization can unfairly and illegally terminate the employment of staff and may continue to do so with no apparent consequence and flaunt the laws of the government they represent with no apparent respect for government policy. Especially in this case where the organization is non profit and represents the government in social based policy.

I understand that the government desires growth of our population for a variety of social and economic reasons. The current business environment gives new families pause when considering increasing Australia's population. As a result of my experience friends of ours are delaying the decision to have children and the number of children they will have due to the potential risk it poses to their employment. Personally I believe that this country does need to increase it's population to provide a strong tax base and stability for the business sector in the years to come as pointed out by our treasurer however my husband and I are afraid that any future pregnancies we have may result in similar employment situations unless these organizations are held accountable for their actions and a more family friendly business practice is not only put into place but also adhered to.

I would like to thank you for your time in relation to this matter and look forward to your reply.

Yours Faithfully,

  


CC

The Hon. Kay Patterson,  
Commonwealth Minister for Family and Community Services  
Commonwealth Minister Assisting the Prime Minister for Women's Issues

The Hon. Peter Dutton,  
Commonwealth Minister for Workforce Participation.

The Hon Penny Wong,  
Commonwealth Shadow Minister for Employment and Workforce Participation

The Hon Kate Ellis  
Commonwealth Member for Adelaide

Hon Michael Wright  
South Australian Minister for Industrial Relations

Hon John Rau  
South Australia Member for Enfield

South Australian Employment Ombudsman