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**Submission to
House of Representatives'
Family and Human Services
Committee**

**INQUIRY INTO BALANCING
WORK AND FAMILY**

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Executive Summary

Balancing work and family has not been a nationally acknowledged issue in the past because the labour market has been built around the male breadwinner model and the 8 hour day.

With the increased irregularity of hours, (driven by work intensification, casualisation and globalised markets) and more women participating in the workforce, (due to income necessity and greater opportunity) the task of caring and of finding family time has become a juggling act.

Tensions between time and money are at the heart of the current imbalance, so government and workplace policies need to focus on the affordability of care, the necessity of a liveable income (including through equitable tax and social benefits) and the availability of employee initiated flexibility so people can satisfy work commitments but also be available should family needs become pressing.

There are workplaces initiating better work family practises and there are countries who have successfully implemented flexible work schemes, which demonstrate that a better balance between work and family responsibilities can be achieved without any detriment to the economy, but rather providing a boost to it.

The Federal Government must pay careful attention to the proposals put in this and recent paid maternity leave inquiries and view the required reforms as imperative and radical because the current imbalances warrant nothing less. Gradual policy change is insufficient.

With an aging workforce, and a decreased fertility rate the caring needs of millions of Australians will depend on workers' availability to care. The gender distribution of caring and family responsibilities means that women's employment opportunities and pay equity must be addressed. Caring responsibilities for generations of Australians must be valued and work (whether paid or unpaid) must be more equally shared amongst men and women.

The Australian Education Union's membership consists of about 70% women and hence the union's collective bargaining priorities have ensured a variety of contemporary work family provisions have been available to education workers.

The AEU acknowledges that the gendered divisions of care, as they stand, impact women disproportionately and for the sake of our members and our firm belief in gender equity principals, bargaining for better work family balance will continue to be a priority for the union.

Comprehensive leave provisions (taking into account the diversity of Australian family structures), flexible or temporarily adjusted hours, part-time to full-time (and vice versa) conversions, job share opportunities (including in promotions positions), workload reduction, pay parity for part-time employees, and increased access to job security, are some of the avenues through which the AEU has successfully advanced better work family balance in education intuitions over the last few decades. We recommend these initiatives as models for this inquiry to consider.

Essentially changes in the culture of a workplace - making it clear to employees that taking up flexible work options is encouraged and will not affect job standing/career progression – are an important move toward reducing stress, increasing productivity, increasing career satisfaction and retention of employees; and are fundamental to achieving family friendly workplaces.

However, many AEU members working in early childhood settings, as allied staff in schools, as school and TAFE casual employees and in some school promotion positions, do not have access to the raft of flexible work options they should. Therefore, the AEU recommends national approaches to work and family flexibilities must be comprehensive and equally accessible for all Australian workers.

Introduction

The Australian Education Union represents 160,000 teachers and ancillary staff in public pre-schools, schools and TAFE institutions across Australia. AEU members work as teachers, principals, administrators and allied staff in schools, pre-schools, kindergartens, TAFE Institutions, disability services and correctional services education.

While the AEU welcomes the opportunity to make a submission to this Committee of Inquiry, and does so in good faith, we wish to state our disappointment that yet another inquiry is needed into the issues of work and family, when the recent, (2002) Paid Maternity Leave inquiries by both the Senate and the Human Rights and Equal Opportunity Commission detailed fairly adequately the needs of working parents for a whole range of flexible work options particularly, but not solely, a national paid maternity leave scheme.

The AEU relies on the submissions we have made to previous inquiries into issues of balancing work and family. Copies of those submissions are attached, and the AEU believes that the evidence and analysis presented, and the recommendations made, in those submissions are still valid in 2005. In addition, this submission will provide additional information about the current experience of AEU members and the communities with which they work.

The Inquiry's terms of reference ask for comment on "the financial, career and social disincentives to starting families; making it easier for parents who so wish to return to the paid workforce; and the impact of taxation and other matters on families in the choices they make in balancing work and family life."

The AEU notes that the terms of reference of this Inquiry are quite narrowly confined, to place the primary emphasis on parenting decisions. Any proper examination of balancing work and family would also consider the factors affecting other aspects of family which impact on work. For example, in the teaching workforce, an increasing concern for AEU members is the ability to manage caring responsibilities for adult dependents (such as frail aged parents, or a spouse with a disability or long-term illness).

The policy response of government to balancing work and family must be based on the recognition that workers move through a variety of family circumstances over their working lives, and must encompass the full variety of family responsibilities which workers experience.

Nevertheless, information already provided last year to the Federal Government in the Australian Institute for Family Studies report, "It's Not for Lack of Wanting Kids" about Australian women's notions of employment security, income and capacity to balance work being key factors in their decisions not to have, or delay having children, sufficiently highlight the current gap in government and workplace policy on care.

Further, while the Federal Government has been slow to act on the issues of flexibilities in the workplace for parents, the AEU expresses its strong opposition to changes to Australia's industrial relations system which would reduce unions' right to bargain for family friendly provisions, or to have those provisions regulated through awards and collective agreements.

Collective bargaining has proven the most successful way to encourage parents to return to work. Provision across a workforce for entitlements and flexibilities which individual workers may only require intermittently or for limited periods of their working life is most sensibly achieved on a collective basis. Removing or attacking the rights of unions to bargain collectively for better work/family balance, will do a great disservice to working families and will be to the detriment of Australia's productivity and prosperity.

The AEU notes that Australia is signatory to a number of international conventions and treaties which require us as a nation to establish a regulatory system which meets the needs of workers with family responsibilities, ensures a reasonable opportunity to balance the needs of work and family, and provides for the rights of children. In this context, the AEU urges the Federal Government to work closely with State and Territory governments and with social partners such as trade unions and employer associations to implement a coherent and effective set of policies and regulation to implement our international obligations in all jurisdictions and at all levels.

The AEU believes that:

1. There are financial, career and social disincentives to starting families that current tax benefits and bonuses fail to mitigate.
2. It is affordable for workplaces to support and provide flexibility with security for employees and that it is in their interests to do so. That where better provisions exist in Australian workplaces, these can often be attributable to higher levels of unionization and cooperation with employers in the interests of productivity and workplace stability.
3. Flexible work options should be pursued through the Australian Industrial Relations Commission Test Case on Work and Family, and other test cases. The Federal Government's opposition to this method of arbitration indicates a somewhat hypocritical approach to work family flexibilities.
4. That precarious part-time or casual employment imposes hardships on parents' and discourages many young people from becoming parents.
5. Australian workplaces and family structures have changed since the conceptualization of "Harvester Man" in the industrial court's 1907 decision, and hence workplace cultures and policies must support these changes.
6. That the prevalence of gender dominated industries and resulting gender pay equity problems is exacerbating the income and job security concerns of working parents in Australia.
7. That the unpaid domestic labour women undertake particularly compromises their work family balance.
8. And that Australia is noticeably behind in its management of national policy to support working families.

Fundamentally, balancing work and family is an issue for all working people, regardless of their current family or employment circumstances. All people have the right to working conditions which give them genuine choices in relation to family-related decisions, and which enable workers with family responsibilities to participate fully in the workforce.

It is important that provisions which facilitate the development of such “family-friendly” work environments are understood to be in the interests of all workers, and not in any way a matter of “special treatment” for those who, at any particular point in time, are parents.

Similarly, provisions which facilitate the balancing of work and family responsibilities should not reduce or undermine already established entitlements such as sick leave, or employment security.

Existing entitlements have been established in answer to particular workplace issues, and each have their own work to do. It is not reasonable that workers with young children or other family dependents should, by virtue of meeting their family responsibilities, be expected to sacrifice other entitlements which workers without those family responsibilities receive in full.

The cultural, financial, industrial and political changes necessary in Australia to foster a work family balance should be seen as monumental yet feasible, as they are absolutely essential to the equity and sustainability of Australia’s future.

Decisions and Disincentives

- *the financial, career and social disincentives to starting families;*
- *the impact of taxation and other matters on families in the choices they make in balancing work and family life.*

To answer the Inquiry's questions regarding disincentives and the choices people make in starting families and balancing family needs, the analysis of three areas become fundamental. The AEU believes that the costs of care and maintaining a liveable income *with* the assurance of job security, are the major factors impacting Australian workers and their families' ability to prosper.

The Federal Government regularly argues that its policies facilitate choice, however in the case of work and family balance, the AEU believes Australian families' choices are being confined and that the mechanisms to enable real flexibility for working parents are consistently sidelined.

The recent Taskforce on Care Costs' paper, "Creating Choice: Employment and the Cost of Care" rightly highlights how "anecdotal reports by carers and preliminary academic research indicate that the high cost of care forces workers with caring responsibilities to choose *between* work and caring." (Bourke et al, 2005, p3)

This mismatch between care costs and the diminutive income gained from remaining in the workforce, is exacerbated by in-built disincentives to work in some family tax and welfare payment schemes.

Women Have Chosen - They Just Can't Access Their Choices

The AEU believes government policy must facilitate real choices for working families that enable a family income to be maximised as well as enable the caring needs of families to be met both within quality formal and informal care sectors.

The AEU supports the broad arguments put in Leslie Cannold's submission to this inquiry, as she aptly condemns society's generally narrow construction of choices, particularly for women. Cannold emphasises how such choices become simply opting for that which is the least painful.

In many cases for women, the least painful is giving up on the struggle between working only to meet the costs of care, and staying at home. Cannold shows how strongly linked to class these choices are.

This view is supported by Barbara Pocock's and Anne Summers' positions. Pocock explains "the 'choice' to stay at home to care for kids is undermined if the long-term price is the loss of a labour-market foothold. The choice to return to work is non-existent if practical child-care options don't underpin it."

The AEU believes that Australian economy, no matter the conservative ideological preference to do so, cannot sustain the inequities of women's limited choices. In most cases, the preferred options Australians would like to choose are self evident and are often low cost or no cost. The AEU recommends that this Inquiry listen to the much repeated requests of Australian carers – namely women.

There are clearly articulated financial, career and social disincentives to starting families in Australia. Women have been telling governments for decades that the work family balance is inadequate in their lives and redressing this inadequacy has long been a key demand for government action, as shown throughout election polling.

The findings of a study by the Security 4 Women consortium in May 2004 into "What Women Want", clearly confirmed women's understanding of their needs and inequality. The top three priorities of Australian women, irrespective of age, education and socioeconomic status, were consistently reported as 'work arrangements that help balance family and other responsibilities', 'affordable education and training for all ages' and 'equality of male and female wages and salaries'. (Doughney, 2004, p2).

Australian women's demands for quality, affordable and accessible child (and elderly) care is yet to be adequately addressed.

Australian women's demands for flexible, yet secure, employment modes have been wrongly interpreted as a preference for part-time (and therefore usually casual/precarious) employment. Australian women's demands for a nationally funded paid maternity scheme remains unfulfilled and an international embarrassment. It is only now that women are sending the message through refusal to procreate that the issues are being taken seriously.

Women understand that a family increases their work and reduces their pay. Governments now need to understand this also.

Financially, be it the loss of professional aspirations or secure income, ongoing costs of care, of education and health costs, and of housing are real, highly publicised stumbling blocks for women's fertility choices, and balancing family.

Families' Costs – Cost to Families

Much has been written recently that canvasses the cost of care, (particularly childcare) and the "welfare traps" that clearly act as a disincentive to working parents and even decisions to start a family. The current Family Tax benefit systems, the old Baby Bonus, the new Maternity Payment, the Childcare Rebate have been extensively analysed by political parties, journalists and academics.

The AEU would like to direct the Family and Human Services Committee to both ACOSS's 2004 policy paper, "Better Family Incomes Package", and the Taskforce on Care's 2005 report, "Creating Choice: Employment and the Cost of Caring", for a more concise articulation of these costs and poverty traps for families.

Needless to say, the AEU supports the view put by the Taskforce on Care, that "workers are exposed to high care costs (for children, elders and people with a disability), and currently receive minimal financial support". (Bourke, et al 2005, p47) The report strongly demonstrates the risk for business and the Australian economy by showing the direct relationship between the cost of care and workforce participation.

Cited research conducted by the National Centre for Social and Economic Modelling (NATSEM) "concluded that the interaction between childcare costs, income and government tax and benefit structures can limit the benefit of increasing workforce participation, particularly for low income earners." (Bourke, et al 2005, p4)

Strikingly, 73.1% of workers who cared for children under school age said they have either considered leaving, or WILL leave the workforce *because of the cost of care*.

Specifically, it was found that the average actual weekly cost (i.e. including full-time and part time usage) for elder care (\$162 per week) or disability care (\$118 per week) was similar to or more than that paid for by respondents paying for childcare (\$117 per week).

Research by Carers Australia showed that other carers paying for care had similar issues to people paying for childcare in terms of affordability and availability of care, and its impact on their workforce participation decisions. (Bourke, et al 2005, p5)

The AEU is particularly concerned about these facts, considering the age demographic of the education sector and the current teacher shortage, as the majority of our members aged about 45 are increasingly looking after elderly parents or relatives, whilst at the same time often looking after grandchildren, when their children working in other sectors are unable to negotiate adequate flexible work options. Meanwhile, unless the education sector is able to accommodate the needs of younger beginning teachers, and retain them in the education industry, the teacher shortage will be exacerbated.

However, the AEU would like to highlight other costs which contribute to the financial disincentives to starting or maintaining families. On top of tax and welfare restrictions, this generation of would-be parents are those whom are starting their adult lives already burdened with a HECS debt and higher housing costs than any generation before them, (whether buying or renting).

Factors such as the cost and availability of housing, the cost and availability of childcare places, and the financial uncertainties associated with casual or insecure forms of employment affect all young people, making it difficult to achieve sufficient financial security to plan to start a family.

AEU members report an additional problem which compounds these difficulties, and that is the impact of HECS debts, particularly in the first decade of employment. The vast majority of workers entering the public education industry, including all teachers, are university graduates.

A typical scenario for AEU members is:

A couple in their mid-twenties wish to start a family, but:

- *both are university graduates with four or five years of study.*
- *both have recently commenced teaching, on short-term contracts. One is full time and the other works three days a week.*
- *their income is sufficient to trigger HECS debt repayments, reducing their effective income by \$150 a fortnight.*
- *they have recently bought a house, with substantial mortgage repayments.*

Combined with the knowledge that they would incur the usual expense of raising a child, the cost of childcare and the difficulty of locating a childcare place within a reasonable distance from their home, the prospect of incurring the ongoing expense of starting a family is prohibitive.

The compounding effect of HECS debt repayments on top of all the other expenses which people encounter at the same time in their lives, is leading many young teachers to defer starting a family – sometimes indefinitely.

More broadly, the cost of education concerns the AEU as it also acts as a disincentive to lifelong learning. Pursuing an economic rationalist agenda, with respect to user pays education (and health for that matter) financing ignores the benefits that accrue to society as a whole. Recent HECS reforms now ask students to take on even higher debt or pay for an up front university place of \$100,000, despite their taxes already supposedly funding universities and schools.

Recent reports of declining university enrollments, increasing drift to private schooling, Australian's personal debt, paranoia over interest rates and falling fertility rates, appear to confirm the prediction of debt aversion, in the wake of the Federal Government's policy shifts to increase the private cost of fundamental services.

The National Union of Students cites Prof Chapman (the architect of HECS) who estimated that "one in ten Australian students will be paying full fees as high as \$210,000 by 2008 and that unless you've got rich and generous parents you are in trouble". (Jansen, 1/09/2004)

Similarly, Culmsee, (2004, p4) acknowledges that although students can defer the payment of their HECS debt until their income reaches \$36,000 many were still worried about getting into debt at an early age.

Housing costs remain a financial determinant in the decision to have children also, because children necessarily increase required housing capacity and therefore cost, whether buying or renting.

A *Sydney Morning Herald* article by Hannah Edwards in 2002 confirms what young people have been saying to their parents for a time now, that it is in fact harder to buy a house today than it was then.

Edwards' report, (09/06/2002) says you need more than twice as many weekly pay packets to buy a home in Sydney today than you needed 40 years ago. Today it takes 550 weeks' pay for your suburban dream - up from 249 pay packets in 1962.

And Lisa Pryor, this year also acknowledged that home ownership is a huge contributor to the raging debate between baby boomer parents and their adult offspring. Pryor's article (13/07/2004) puts the median house price now "as equal to nine times the average per capita income, compared with six times the average income before the market took off in the mid-1990s, the Productivity Commission found."

Starting out with a debt, and perhaps deferring repayments by accepting a job on minimal pay, many young people then face the "enticing choice" of seeing what little income is left disappearing on the material costs of children. Small wonder that many see no choice at all.

The added traps of Australian workers' reduced job security (via increased casualisation/precarious part-time employment), and of employer flexibility will be discussed in the next two chapters that deal with how gendered labour markets, (that hence produce pay inequities) and the changing nature of part-time employment impacts families lives and income.

Recommendations

- That reducing the cost and increasing the availability of quality childcare places be made an urgent priority for the federal government.

- That the federal Government supports the ACTU's calls for them to:
 - (a) undertake a comprehensive analysis of child care needs areas;
 - (b) develop a national, integrated approach to planning and delivery of early childhood education and care;
 - (c) recognise the importance of early years learning, development and the successful transition to school;
 - (d) address the shortage of child care places and improve ongoing access to services for all families;
 - (e) ensure that all Australian children have access to at least one year of free pre-school education prior to going to school;
 - (f) better integrate child care and related services ;
 - (g) increase the affordability of child care services for all families;
 - (h) commit to fund improved wages and conditions for childcare staff; and
 - (i) ensure the provision of high quality services.

And that the Government should implement funding programmes to increase places for children aged 0-2 group.

- That the Government supports the ACTU's request for a commitment to funding programmes to support the development of new Long Day Care centres in areas with un-met demand.
- That the Government supports the ACTU's request that they should undertake an analysis of the varying capacities of communities to develop and sustain quality early childhood services and commit to funding programmes for the development of services in areas of particular economic and social disadvantage.
- That the Government supports the ACTU's request for them to provide increased government funding levels to accommodate improved wages and conditions for childcare professionals and a commitment to provide incentive funding tied to improved staff wages, qualified staff ratios and services.
- That in conjunction to focusing on formal childcare, access to quality, and equitable preschool education is imperative. Therefore the AEU recommends:

- a. A national plan for preschool education be developed between the Commonwealth and states and territories to ensure equity and access to high quality preschool;
 - b. That a national framework and vision for preschool education is coordinated through MCEETYA and DEST.
 - c. That the provision of high quality and accessible preschool education in the year before commencing school is free for all children across Australia and is acknowledged at a federal level as a universal right;
 - d. The Commonwealth reintroduce dedicated funding for preschool education and that Commonwealth and state and territory governments jointly provide the full costs of preschool education.
 - e. That Commonwealth and state and territory governments provide additional funds dedicated to improving access for Indigenous children to high quality preschool education;
 - f. Current initiatives that link health, education and community programs be increased and expanded. Higher levels of coordination between services should be established between government and non-government organisations in direct consultation with Indigenous communities;
- That the Government accept the Taskforce on Care Costs' recommendation requesting that by 30 June 2006, the Government release a public report identifying the steps it has taken to implement the Taskforce's recommendations.
 - That there be more flexibility in HECS debt repayments during periods of high costs to families, eg. childbirth; home buying; starting school.

Gender Segregation – in the Workforce, and in Domestic Labour

- *the financial, career and social disincentives to starting families;*

The pay gap between men and women, and the higher proportions of women in casual (insecure) part-time work are significant barriers to successful balancing of family care needs. Those families reliant on dual incomes, (i.e. the majority in Australia) are particularly compromised by casual employment modes and the work value placed on industries segregated or dominated by one gender.

The academic arguments on the changed workforce are well detailed in Sarah Charlesworth's submission on behalf of RMIT's Centre for Applied Research, which includes changes to family/worker models, of impacts to paid work, working parents' notions of their pressures/lifestyles and of workplace cultures.

The AEU would like to emphasise how employment modes, and pay equity link to income and job security barriers for successful work family balance and how in turn, no balance can be forged by women until the domestic unpaid work is adequately shared and recognized. Therefore social/cultural change around gender roles needs to be a complimentary priority to any government and workplace policy initiatives in the paid work sector.

“Flexible” Employment Modes – Rigid Insecurity

As stated earlier, employment security, (maintaining a certain and livable income) is fundamental to one's ability to care for a family. However, so too employment security is necessary in order to be absent from work for care reasons, should the need arise, without fear of losing one's job. However, the latter is a “flexibility” not afforded to the 2.3 million working Australian's who are employed on a casual basis.

Unfortunately, current employment modes indicate that women's share of casual employment in Australia is 57.3 per cent and that the proportion of women employees working casually is substantially larger than that of men (33.6 per cent compared with 22.8 per cent).

As Sharan Burrow points out, “women need part-time work, due to care responsibilities, but what part time work in Australia means is casual work. More than 80% of women who work as casuals work part time.

No holidays, no sick leave, and only as a result of the ACTU' Work and Family Test Case have these workers recently achieved the right to take a day or two off, with-out pay mind you, to care for a sick child without having their employment threatened.” (Burrow, 2004)

The AEU believes that policies and working conditions to facilitate work family balance must be equitable and therefore universally accessible to all workers. Both the Sex Discrimination Act and the Workplace Relations Act need to be strengthened to ensure discrimination, (direct or indirect) on the basis of family responsibilities is outlawed.

The AEU supports the ACTU's recommendations that the Workplace Relations Act be amended to:

- strengthen the role of the AIRC in fostering family friendly working arrangements
- require the AIRC to ensure that awards and agreements contain effective and innovative provisions to assist workers to combine work and family responsibilities, including provisions relation to hours of work
- provide for a minimum period of 104 weeks of parental leave
- ensure that all forms of family leave, (including planned, long term leave) are allowable award matters. discrimination should stay and WRA should NOT remove 'indirect' discrimination'] [non uniformity reduces some employees with reduced bargaining capacity to a heavy burden of work family – the Fed Award standard of 12 months unpaid leave is to low]

Recommendations

- that Industrial Legislation provide for public scrutiny and monitoring of Australian Workplace Agreements (and equivalent state instruments) to ensure that they are not being used as a mechanism to undermine existing work family balance provisions; and,
- that measures to increase levels of secure employment, and to discourage precarious casual and short-term appointments, should be encouraged as an important step towards effectively balancing work and family responsibilities.

While part-time work involves sacrificing rights to family friendly entitlements, parents' choices will be confined and inequity will prevail. The higher proportion of casual and temporary work women perform helps to explain the gap between ratios of female to male adult full time total earnings and total earnings. (Doughney, 2004, p5)

The 2005 Victorian Government Pay Equity Inquiry showed how a "significant factor influencing divergent rates of pay for men and women arises from the greater concentration of women in part-time and casual employment.

In 2003, 27.6% of the workforce were casual employees and over 30% of employed women were engaged on a casual basis. Sixty-four per cent of casuals worked on a part-time basis and over 67% of these employees were women. While total wages obviously reflect this disparity, as previously mentioned hourly rates for part-time female employees are lower than those for both full-time women and men." (Whelan et al, 2005, p4)

Equity in Paid and Unpaid Work

The specific gap in male and female earnings, particularly when women are forced to work part-time, highlights the disincentive to remain in the paid work, while care cost significantly reduce take home pay. So while women work part-time to boost families' incomes and balance care, discriminatory pay principals punish them for seeking part-time employment, and on top of that, having casual status removes their rights and conditions that would make balancing family more possible.

The Victorian Pay Equity Inquiry found that while "the gender pay gap for part-time employees is considerably lower than for full-time employees (i.e. 6.1% for total hourly earnings), this is attributable to the fact that the overwhelming proportion of part-time workers are women - almost 72%. Data presented by URCOT also reveals a decline in the hourly earnings for part-time employment relative to full-time employment since 1986, in the order of 2.1 percentage points for male employees and 8.4 percentage points for female employees." (Whelan et al, 2005, p3)

And this report acknowledges that while it is arguable that at various times in their working lives women choose to engage in casual and/or part-time employment in order to accommodate their family responsibilities, “it is equally the case that factors such as the availability and affordability of childcare and inflexible working arrangements associated with on-going full-time jobs limit the options available to working mothers.” (Whelan et al, 2005, p4).

The Inquiry’s finding of most significance to the AEU, is that around how “feminised” occupations, like teaching, (and their examples, childcare and retail) are also affected by gender pay inequity due to the segregation of the workforce and the value placed on such “feminised” industries. Despite the much talked of ‘male teacher crisis’, it is no surprise to the AEU that pay and status, the very thing that attracts people to a profession, is lower when society dubs the industry ‘women’s work’. For carers in the education industry, particularly in part-time work, this inequity is indeed felt.

Moreover, on the domestic front is the more sensitive dilemma of unpaid labor, and of caring roles, both of which are social pressures which become economic considerations for families.

The Security 4 Women survey identified these tensions of domestic work and found that even when women work similar hours in paid work to their male partners, they still perform 60.1 per cent of unpaid labour. (Doughney, 2004, p5).

There are countless relationship breakdowns in Australia which have the commonality of domestic work imbalances as a core contributor to the breakdown, which sends a message that gender relations cannot be discounted within discussions around family choices and options. The gendered division of labor is significant and indeed profitable or expensive, depending on the goals of government.

International solutions to rectify inequality within work and care do focus on workplace measures, as much as government investment in infrastructure like child care and on tax incentives.

In Australia the value of unpaid labour to the Australian economy in November 2002 was said to be \$250-400 billion, or about one-third to half of Australia’s Gross Domestic Product (GDP). (Doughney, 2004, p6)

It is indicative that women account for 64.9 per cent of all unpaid household, voluntary and community work (as against 35.1 per cent for men).

And if earnings are averaged across the total of all women and men who undertake paid and unpaid labour, the ratio women's to men's total earnings effectively falls to 47 per cent! (Doughney, 2004, p6) Hence a strong message in the personal comments made by throughout the 'What Women Want' study was that work and domestic arrangements need to undergo significant change to enable a better work-life balance.

Women wanted specific employment conditions including paid maternity leave, but more extensive demands included, women wanting time out of the paid workforce when raising children that does not result in severe loss of work opportunities; for 'women's work' to be given legitimacy; for parenting, caring work and community work being more valued and the skills gained properly recognised by employers; and for men to be able to access more flexible work arrangements so that domestic and care roles can be better shared .

It is clear that the domestic arena continues to play a strong part in the resentment women are feeling regarding their work and care arrangements and is sending a message to those listening, (would-be-parents) to think carefully about timing a family. There is much written about relationship breakdown, engaging fathers in caring, reductions in marriage rates and the gendered expectations of parenthood, and they all contribute to the fear or perfectionism surrounding families in Australia. (See work by Michael Bittman, Beth Seddon and Adrienne Burgeous).

Recommendations

- Industrial Relations legislation should provide for public scrutiny and monitoring of Australian Workplace Agreements (and equivalent state instruments) to ensure that they are not being used as a mechanism to undermine existing work family balance provisions.

- That measures to address the balance between work and family responsibilities should not reduce or undermine already established entitlements such as sick leave or superannuation, since these provisions have their own work to do, and workers with family responsibilities should not be disadvantaged with respect to workplace entitlements.
- The Workplace Relations Act should ensure that the AIRC has clear power to adjust awards to ensure equal pay for work of equal value between women and men.
- The equal pay provisions in the Workplace Relations Act should be retained.
- That workers have the right to access accrued long service leave in conjunction with any paid maternity/paternity/carers/family leave;
- Measures to increase levels of secure employment, and to discourage the use of casual and short-term appointments, should be encouraged as an important step towards effectively balancing work and family responsibilities.
- The Federal Government should play a greater leadership role in encouraging workplaces to introduce family friendly cultures, by providing information to employers including:
 - considering work family balance when making management decisions;
 - Making meetings family friendly by:
 - considering childcare arrangements both on and off site;
 - having set ending times;
 - prioritizing items;
 - limiting time people can speak so you finish on time.
 - Introduce a workplace policy for breastfeeding;
 - Discourage staff from working excessive unpaid overtime; particularly on weekends and staying back after work;
 - Encouraging fathers in particular to take advantage of paternity and carers leave entitlements where they are offered, to ensure the family caring roles are shared equally.

- Allow staff to have access to a telephone and let them have mobile phones for emergency family reasons;
- How to introduce flexible start and finish times;
- How to introduce a keep in touch plan for employees on maternity or carer's leave.

Education Workers' Reality

- *the financial, career and social disincentives to starting families; making it easier for parents who so wish to return to the paid workforce*

For AEU members, workload and work intensification continue to be a significant barrier to their work and family balance. Though the education sector has a reputation for being family friendly, due to school hours and holiday periods, the reality for education workers is much the same as other working Australians. Excessive hours, unpaid overtime, sacrificing health and wellbeing and the gap between policy and practise, (particularly in part-time work) are definitely to the detriment of AEU members' families.

Work intensification, as documented here, also acts as a disincentive to return to work after children, and to applying for promotions, which often sees women 'opting' out of promotions positions.

The AEU has many members employed in professional, salaried work, without fixed hours of work. In this work context, it can be difficult to measure and track changes in working hours, and in work intensification during the hours worked. Nevertheless, all studies of teacher workload conducted in the past decade have shown a steady increase in both working hours and work intensification.

Increased workload has a direct and detrimental impact on AEU members' work/family balance. Members report:

- the need to take work home reduces time available to their families;
- ordinary working days are stretching, with teachers regularly not leaving school until after 6pm;
- marking, planning and preparation work, as well as professional development activities, takes up much of every school holiday period;
- scheduling of meetings, professional development, and extra-curricular activities on evenings and weekends is common;
- the highly stressful nature of their working day means they come home too tired and grumpy to give their own children the patient attention they give the children in their classrooms;

- they bring their own children along to weekend activities (eg supervising sport) because otherwise they have no time with them at all.

Our members report stress, exhaustion and guilt arising from their inability to balance the demands of work and family, and both their work performance and their family relationships suffer. One academic study of teacher work/family balance went so far as to recommend that teachers should be discouraged from marrying other teachers, because no single family unit could reasonably be expected to sustain the working hours of a teacher unless the other partner had an occupation where they have fixed hours and could leave work at work.

But education workers do not only suffer the effects of their own excessive workloads. Work intensification and the spread of longer working hours in other industries, without adequate support for work /family balance, shifts some “family” responsibilities onto workers in industries such as health and education.

The AEU’s members report that a variety of factors resulting from longer hours worked by parents of school students are in turn increasing the workload and working hours of education workers. These include:

- students arriving at school earlier and leaving later, requiring longer periods of supervision;
- inadequate provision of out-of-school-hours care;
- an increase in the incidence of students coming to school sick, because their parents (especially if casually employed) have no access to family/carer’s leave;
- many students have no effective parental supervision of homework;
- problems faced by students’ families arising from stress, working hours, job insecurity, etc, are often “brought to school” – in forms as diverse as comforting distressed children after a family argument, providing breakfast to children who do not receive breakfast at home, and monitoring parental access under Family Court custody orders.

Many teachers leave the profession as a result of the inability to strike any sustainable balance between work and family, and many young people are discouraged from entering the teaching profession when they see how overworked their own teachers are.

Barbara Pocock's much documents book "Work Life Collision" and in particular her work for the ACTU, (2001) which discussed Fifty Families' pressures, due to work intensification holds many truths for AEU members. Pocock's research into teaching, showed how workload impacts quality of teaching, it affects personal well being, affect of part-time work, how society benefits from well meaning teachers, but how this affects teachers' own children, and extended family. Pocock's interviews with teachers, attached to this submission discuss in detail the particular pressures on education workers' families.

Part-time employment – policy gap and carers' trap

Making it easier for parents who wish to return to the paid workforce, usually involves some type of reduced hours, whether on a temporary or ongoing basis. Though for many families part-time work may indeed be the solution to their work and family needs, the experience of AEU members is that part-time work poses its own disincentives to remaining in paid work.

As discussed earlier, for many, particularly women, part-time work means casual work and hence the loss of crucial entitlements such as sick leave, maternity leave, parental leave etc. With the increase in casual employment in the TAFE sector, AEU members who are casually employed do struggle to balance family needs.

The AEU believes that part-time employment needs to offer the same employment security as full-time, in terms of leave conditions, of salary parity and of social acceptance of family responsibilities. Unfortunately, the AEU has found that within the public education sector, there is a gap between policy and practise where part-time work is concerned, (and indeed where the full range of family friendly entitlements are concerned). The union works hard to ensure that where hard fought for entitlements are desired by our members, that these be implemented as indented.

The issues part-time workers have in education, are probably very similar to many other industries. Though part-time employees in different sectors within public education, have very different experiences of part-time work, essentially AEU members who work part-time have difficulties:

- with earning sufficient income due to differences in the hourly rate for part-time employees compared to full-time employees (this is more acutely felt in some sectors, like TAFE);

- with having fewer training opportunities than their full-time colleagues
- of being able to work at their full potential, due to time constrictions, (between one third and a half of women working part-time are working below their full potential)
- with having a restricted ability to self regulate their hours, which impact their ability to arrange regular care, (e.g. appropriate ongoing child care times)
- with principals, or members in promoted positions, negotiating part-time arrangements
- not being given the same treatment as full-time workers
- with the stigma attached to part-time employees about job commitment but be challenged
- the reluctance to facilitate job share, particularly in promotions positions
- in successfully applying for and achieving promotional opportunities, due to their part-time status.

Educators' Entitlements

In all public education workers have a range of flexible work options and family friendly provisions, which vary according to sector and employment status, but nonetheless include:

- the right to temporarily adjust hours and/or flexible start and finish times
- the right to move between part-time and full-time employment
- lactation breaks, including workplace policies on breastfeeding
- leave options that acknowledge the diversity of family structures and friendships (including maternity leave, paternity leave, parenting leave, adoption leave, foster parental leave, cultural/ceremonial leave)
- paid maternity leave that ranges from six weeks full pay, plus six weeks half pay to 14 weeks full paid leave
- sick leave
- carers' leave
- job share arrangements
- class size maximums to attempt to reduce workload
- job share opportunities even in promoted positions
- culture change that encourages flexibilities not to the detriment of career progression or job loss/security

The AEU has extensive policy on workers rights to high quality, accessible, appropriate and affordable, if not free, child care; on maternity and parenting/family leave; permanent part-time work options; equitable superannuation schemes and equal pay/pay equity. These policies are attached to this submission for the committee's convenience.

In addition, there is ample information to support the entitlements that AEU members regularly claim through enterprise bargaining. Aside from paid leave, many entitlements are low cost or no cost and as such the AEU draws these to the attention of Inquiry. The range of family friendly policies, show the varied and ongoing care needs which should be seriously considered by government and employers.

Maternity Leave and Adoption Leave

The World Health Organisation states that it is of utmost importance to the health of the mother and the infant, that the a period of absence from work following birth should be at least 16 weeks.

Sixteen weeks is conducive to both the optimal growth of the infant and the bonding between mother and infant. Absence from work also allows the mother to recover physically and emotionally.

The World Health Organisation specifically identified this period from work as minimising maternal health problems such as infections, anaemia, depression, backache, anxiety and extreme tiredness.

In terms of infant health, there were a range of benefits for the child including being able to be exclusively breastfeed, for which anything less than 16 weeks was identified as being of multiple detriments to their health.

There are also a range of international and national studies which support a strong link between substantial paid maternity leave arrangements and high recruitment and retention rates, both issues of central relevance to these industries.

The claim for 16 weeks paid maternity and/or adoption leave reflects the AEU National Claim Framework, from December 2002.

Prenatal leave

It is well established that pregnancy is not an illness. Therefore women should not have to access their sick leave entitlements to attend prenatal appointments. This should be provided under special leave provisions.

Equally, the role of the father in the parenting role needs to be given some acknowledgement. The opportunity to attend key appointments, such as ultrasounds should be provided.

These leave provisions reflect those of the Victorian Government Schools - School Services Officers Agreement 2001.

Miscarriage, Stillbirth, Termination and Neonatal Death

Some special leave arrangements do account for miscarriages. However, similar distress and trauma can also be associated with stillbirth, termination and neonatal death.

Throughout any period of planned or unplanned pregnancy the prospect of losing a pregnancy is always a possibility. Complications prior to the birth of a child which lead to neonatal death, still birth, miscarriages or terminations need to be taken into consideration.

Personal Leave

Such leave provides a much needed increase in flexibility arrangements which support managing work and family responsibilities.

Personal leave provides a formalised framework for managers to assist their staff in managing their work and family responsibilities in a way in which is currently done informally.

Based on the ACT model, (DECS (Teaching Service) Certified Agreement 2000 - 2003), they have found it to be both cost effective and supportive of employees better managing their work-family responsibilities.

Partner Leave

Partner leave acknowledges that families are constituted in diverse ways and that carer roles should not be assumed, but should instead be supported. Discrimination in partners wishing to access paid time off at the birth of their child should be rectified by offering and actively encouraging partner leave. Partner leave with regard to adoption should be treated the same.

It is well acknowledged within the research that time is required for the bonding between parent and child. This is currently available to mothers, but not partners. With the changing nature of the workforce, a failure to provide bonding opportunities to both parents is outdated.

An example of parenting leave, (though strictly paternity leave in this case) is the Victorian "Teachers' (Vic Govt Schools) Conditions of Employment Award 2001". Victoria allows for male teachers who submit satisfactory evidence that he is the father of, or has accepted responsibility for the care of a child, shall be granted paid leave for up to one week or for periods aggregating up to five working days, to care for such child and/or mother of the child.

Flexible Work Options

FWO policies or statements in agreements asks parties to acknowledge that flexible work practices, including part time employment, are employment arrangements that aim to achieve the best possible match between the interests of the worksite and the personal/professional interests of individual employees. Such statements are located in most teaching agreements across Australia or within education departments' or public sector acts.

An important part of offering flexible work options is to ensure that time fractions for part-time staff do not still require unreasonable attendance days, as this impedes the ability to arrange regular care, (e.g. appropriate ongoing child care times).

Including, "Minimum Required Days", that for example stipulate fractional staff of 0.6 or less cannot be required to work more than four days a week, or fractional staff of 0.4 or less cannot be required to work more than three days a week, can be valuable inclusions to work family policies.

Finally, the AEU reiterates its support for the flexible work options being pursued by the Australia Council of Trade Unions (ACTU) within the Australian Industrial Relations Commission Test Case on Work and Family and believes that the federal Government's opposition to these claims indicates a somewhat hypocritical approach to employee flexibility. During the 2004 federal election, the Liberal Party policy for women stated that on flexible workplaces they were "committed to maintaining a flexible workplace relations system that provides choices for working parents." The policy committed to "maintaining a strong emphasis on equal opportunity for women in the workplace and promoting these principles in the private and public sectors" yet they have opposed the test case requests from employees and are instead attempting to dismantle the entire IR system.

The AEU is disappointed by this demonstration of inconsistency, however maintains that the necessity for the Government to facilitate a culture shift in Australian workplaces, is great enough to ensure the recommendations arising from the Inquiry into Work and Family Balance will be enacted.

Recommendations

- Provisions for parental leave should include allocation of time and funds for appropriate training on return to work after parental leave, to reorient workers to the workplace and to technical, professional and organisational changes which may have occurred during their period of parental leave, to ensure that the break in service does not impact negatively on career development.
- Measures to reduce normal working hours for all workers should be encouraged as an important step towards effectively balancing work and family responsibilities.
- Measures to increase levels of secure employment, and to discourage the use of casual and short-term appointments, should be encouraged as an important step towards effectively balancing work and family responsibilities.

- That measures to address the balance between work and family responsibilities should not reduce or undermine already established entitlements such as sick leave or superannuation, since these provisions have their own work to do, and workers with family responsibilities should not be disadvantaged with respect to workplace entitlements.

Conclusion and Recommendations

There are financial, career and social disincentives to starting families in Australia that centre around the costs of education, health, housing, and care, as well as gender role stereotypes, pay inequity and the discrimination of carers in the workplace.

The Federal Government and employers have opportunities to take up policies that do make it easier for parents wishing to return to the paid workforce. However, to date the take up of these options has been slow and even obstructionist. The AEU fully supports the ACTU's contentions and claims within the AIRC Work and Family Test Case which aim to ensure flexible work and leave entitlements were accessible for all working Australians, but to which the Federal Government declined to support.

The public education sector can in many cases be used as a model for the implementation of some flexible work options and entitlements however, the AEU cautions the Government to ensure that entitlements are universally accessible, are facilitated in reality as well as by policies and that part-time work options have inbuilt job security, parity in pay and career prospects and allow predictability of hours.

The AEU believes that if the Federal Government is serious about addressing the tax and financial traps for working families and carers, then the welfare and tax systems need a total review and overhaul. Forcing parents into work without infrastructure to allow them do so, without financial penalty, is unacceptable and unsustainable

We, therefore, make the following recommendations:

1. That the Australian Federal Government immediately abolish the Maternity Payment and implement a national paid maternity leave scheme based upon the ILO Maternity Convention 183 and Recommendation 191 should be adopted.
2. This would provide all employed Australian women, (no matter what occupation or type of undertaking, including those women employed in atypical forms of dependent work who often received no protection), with 14 weeks paid maternity leave.
3. That reducing the cost and increasing the availability of quality childcare places be made an urgent priority for the federal government.

4. That the federal Government supports the ACTU's calls for them to:
- (a) undertake a comprehensive analysis of child care needs areas;
 - (b) develop a national, integrated approach to planning and delivery of early childhood education and care;
 - (c) recognise the importance of early years learning, development and the successful transition to school;
 - (d) address the shortage of child care places and improve ongoing access to services for all families;
 - (e) ensure that all Australian children have access to at least one year of free pre-school education prior to going to school;
 - (f) better integrate child care and related services ;
 - (g) increase the affordability of child care services for all families;
 - (h) commit to fund improved wages and conditions for childcare staff; and
 - (i) ensure the provision of high quality services.

And that the Government should implement funding programmes to increase places for children aged 0-2 group.

5. That the Government supports the ACTU's request for a commitment to funding programmes to support the development of new Long Day Care centres in areas with un-met demand.
6. That the Government supports the ACTU's request that they should undertake an analysis of the varying capacities of communities to develop and sustain quality early childhood services and commit to funding programmes for the development of services in areas of particular economic and social disadvantage.
7. That the Government supports the ACTU's request for them to provide increased government funding levels to accommodate improved wages and conditions for childcare professionals and a commitment to provide incentive funding tied to improved staff wages, qualified staff ratios and services.

8. That in conjunction to focusing on formal childcare, access to quality, and equitable preschool education is imperative. Therefore the AEU recommends:
 - a. a national plan for preschool education be developed between the Commonwealth and states and territories to ensure equity and access to high quality preschool;
 - b. That a national framework and vision for preschool education is coordinated through MCEETYA and DEST;
 - c. That the provision of high quality and accessible preschool education in the year before commencing school is free for all children across Australia and is acknowledged at a federal level as a universal right;
 - d. the Commonwealth reintroduce dedicated funding for preschool education and that Commonwealth and state and territory governments jointly provide the full costs of preschool education;
 - e. That Commonwealth and state and territory governments provide additional funds dedicated to improving access for Indigenous children to high quality preschool education;
 - f. current initiatives that link health, education and community programs be increased and expanded. Higher levels of coordination between services should be established between government and non-government organisations in direct consultation with Indigenous communities;
9. That the Government accept the Taskforce on Care Costs' recommendation requesting that by 30 June 2006, the Government release a public report identifying the steps it has taken to implement the Taskforce's recommendations.
10. The Workplace Relations Act should ensure that the AIRC has clear power to adjust awards to ensure equal pay for work of equal value between women and men.
11. The equal pay provisions in the Workplace Relations Act should be retained.

12. Industrial Relations legislation should provide for public scrutiny and monitoring of Australian Workplace Agreements (and equivalent state instruments) to ensure that they are not being used as a mechanism to undermine existing work family balance provisions.
13. That there be more flexibility in HECS debt repayments during periods of high costs to families, eg. childbirth; home buying; starting school.
14. Provisions for parental leave should include allocation of time and funds for appropriate training on return to work after parental leave, to reorient workers to the workplace and to technical, professional and organisational changes which may have occurred during their period of parental leave, to ensure that the break in service does not impact negatively on career development.
15. Measures to reduce normal working hours for all workers should be encouraged as an important step towards effectively balancing work and family responsibilities.
16. Measures to increase levels of secure employment, and to discourage the use of casual and short-term appointments, should be encouraged as an important step towards effectively balancing work and family responsibilities.
17. That measures to address the balance between work and family responsibilities should not reduce or undermine already established entitlements such as sick leave or superannuation, since these provisions have their own work to do, and workers with family responsibilities should not be disadvantaged with respect to workplace entitlements.
18. That Australian workers, regardless of their mode of employment should have:
 - the right to temporarily adjust hours;
 - the right to move between part-time and full-time employment;
 - the right for women to return to the workforce in the same job and at the same level of classification, including the right to return to work for a period as permanent part-time if they choose;
 - the right to access up to 10 years leave for family responsibilities;
 - lactation breaks;

- leave options that acknowledge the diversity of family structures and relationships (maternity leave, antenatal leave, paternity leave, parenting leave for spouse, de facto spouse or same sex spouse, adoption leave, foster parent leave, cultural/ceremonial leave) for spouse, de facto spouse or same sex spouse;
 - to facilitate rights for those casually employed to their choice is not to lose their job or look after their child/dependent;
 - the right to personal sick leave as well as leave to care for sick dependants;
 - the right to job share arrangements; and
 - the right to access accrued long service leave in conjunction with any paid maternity leave;
19. The Federal Government should play a greater leadership role in encouraging workplaces to introduce family friendly cultures, by providing information to employers including:
- considering work family balance when making management decisions;
 - making meetings family friendly by:
 - considering childcare arrangements both on and off site;
 - having set ending times;
 - prioritizing items;
 - limiting time people can speak so you finish on time.
 - Introduce a workplace policy for breastfeeding;
 - Discourage staff from working excessive unpaid overtime; particularly on weekends and staying back after work;
 - Encouraging fathers in particular, to take advantage of paternity and carers leave entitlements where they are offered, to ensure the family caring roles are shared equally.
 - Allow staff to have access to a telephone and let them have mobile phones for emergency family reasons;
 - How to introduce flexible start and finish times;
 - How to introduce a keep in touch plan for employees on maternity or carer's leave.

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