

Submission Number: 93
Date Received: 29/8/08 *A*



MASTER BUILDERS
A U S T R A L I A

Submission to

**House of Representatives Employment and
Workplace Relations Committee**

on

Women's Equal Opportunities in the Workforce

Master Builders Australia

August 2008

Master Builders Australia Inc ABN 701 134 221 001

building australia



1.0 INTRODUCTION

- 1.1 This submission is made by Master Builders Australia Inc (Master Builders).
- 1.2 Master Builders represents the interest of all sectors of the building and construction industry. The association consists of nine State and Territory builders' associations with over 31,000 members.
- 1.3 The construction workforce currently represents over 9 per cent of the total Australian workforce with the number of jobs expected to increase by more than 200,000 to around 1.2 million employees over the next decade.

2.0 PURPOSE OF THIS SUBMISSION AND OVERVIEW

- 2.1 On Thursday 26 June 2008, the Acting Minister for Employment and Workplace Relations, the Hon Brendan O'Connor MP, asked the House of Representatives Committee on Employment and Workplace Relations (the Committee) to inquire into and report on pay equity and associated issues related to increasing female participation in the workforce.
- 2.2 The Terms of Reference of the Inquiry include:
- a) considering the adequacy of current data to reliably monitor employment changes that may impact on pay equity issues;
 - b) the need for education and information among employers, employees and trade unions in relation to pay equity issues;
 - c) current structural arrangements in the negotiation of wages that may impact disproportionately on women;
 - d) the adequacy of recent and current equal remuneration provisions in state and federal workplace relations legislation;
 - e) the adequacy of current arrangements to ensure fair access to training and promotion for women who have taken maternity leave and/or returned to work part time and/or sought flexible work hours; and
 - f) the need for further legislative reform to address pay equity in Australia.
- 2.3 Master Builders is committed to improving equity issues in the building and construction industry. Master Builders actively works with members to support and assist women working in the building and construction industry. Master Builders contends that a number of further measures by Government would be of considerable assistance to improve equity.

- 2.4 This submission argues that governments at all levels need to do more to provide a coordinated set of initiatives to support and further develop women's participation in the industry. In particular, women should be encouraged into key trades, and into professional and managerial roles in the industry. Increasing women's participation in the industry in a broader range of roles is the most effective and pragmatic strategy to address any gender pay gap in the industry.
- 2.5 At present, measures by State and Territory governments encouraging women into the industry, while they are to be commended, are disparate. Master Builders submits that the industry would benefit greatly from a consistent national approach, encouraged and monitored (with additional funding) through the Australian Building and Construction Commission (ABCC). Indeed, it was the recommendation of the Cole Royal Commission that the proposed entity upon which the ABCC is based, as part of its educative function, be empowered to encourage and monitor strategies to increase the representation of women at all levels in the building and construction industry. Master Builders submits that a coordinated national strategy run through the ABCC, would do a great deal to redress any industry gender pay equity imbalance, a matter reinforced by a Royal Commission finding: see section 4 of this submission.
- 2.6 Furthermore, as part of this coordinated national approach, key Commonwealth programs which have expired, and which were designed to encourage women into the industry, and to assist women already in the industry, should be extended and rolled out on a broader basis. Mentoring programs, for example, assist women at all different stages of their career, including women returning to work after maternity leave.
- 2.7 Master Builders submits that the industry would also benefit from Government-funded educational measures to better inform existing employees and students undertaking apprenticeships and industry based courses, about women's equity issues in the workplace. While endorsed training packages point to anti-discrimination and EEO legislation in most qualifications and, technically most registered training providers would cover this area when delivering accredited/recognised training, further measures could, for example, consist of a formal requirement to conduct workshops that showcase women in the industry, and which cover women's equity principles in the workplace generally.
- 2.8 These measures, in turn, are likely to help improve the culture of the industry and make it more accessible to women. Cultural change would assist the industry to attract and retain female employees in the context of ongoing skills shortages, and would assist women's pay equity in the industry:

“Master Builders forecasts that over the next 10 years there will be \$1.7 trillion dollars of investment in Australia’s economic and social infrastructure, requiring an increase from 950,000 people in the current building and construction workforce, to 1,200,000...”¹

- 2.9 There is also a need for more research into women’s pay equity and related issues in the building and construction industry. There is very little current data available on women generally in the building and construction industry. In particular, women’s positive experiences of various trades and the industry generally should be collated, analysed and considered with a view to guiding policy makers.
- 2.10 A broader array of government funded research is also likely to assist policy makers in measuring and monitoring employment changes, including women’s successes in the industry.

3.0 BACKGROUND DATA

- 3.1 The Equal Opportunity for Women in the Workplace Agency, has reported that 19.1% of employees in the construction industry are female.² 14.4% of managers in the industry are female. Prima facie these percentages demonstrate that there are significant issues with women progressing into management and senior management roles in the industry,³ but there does not appear to be qualitative data to underpin that assumption.
- 3.2 In the construction industry, 15.1% of full time employees are female. By contrast, the majority of part time employees in the industry are female, at 58.8%. 38.1% of casual employees are female. 20.6 % of organisations in the industry provide paid maternity leave, at an average of 6.7 weeks.⁴ Historically, data shows that women have been concentrated in administrative roles in the industry, rather than in professional and trade based roles.⁵
- 3.3 The Final Report of the Cole Royal Commission was published in 2003. Master Builders believes its findings remain relevant today.

4.0 COLE ROYAL COMMISSION – RECOMMENDATION 143

- 4.1 The Cole Royal Commission (the Commission) considered issues relating to the under-representation of women in the construction industry, including pay equity.

¹ Master Builders Media Release, *Skills Australia a Building Block for the Future*, 13 February 2008

² Based on information provided in an email dated 1 July 2008 from an officer of the Equal Opportunity for Women in the Workplace Agency (EOWA). This information draws on data with respect to businesses with over 100 employees, collated by their office in 2007.

³ Ibid.

⁴ Ibid.

⁵ *Final Report of the Royal Commission*, Volume 9, February 2003, Chapter 19, p188.

- 4.2 The Final Report of the Commission noted that Australian Bureau of Statistics (ABS) figures established that women were under-represented in the construction industry. At that time, the average weekly earnings of women employed within the construction industry were the lowest compared to other industries surveyed.⁶
- 4.3 The Commission noted that a study in 1998 found that of the small number of women employed in the building and construction industry, the majority were employed in administrative and accounting roles, rarely in positions of senior or middle management.⁷ A project director of a major company gave evidence that apart from the nurse, the only other women employed on a particular site were two of the three site engineers employed in the office.⁸
- 4.4 The Commission noted that there are also 'hidden women' in the industry who assist their male partners in family business arrangements. In some cases, women run family companies, using male partners to get around the perception of others in the industry who do not like dealing with women.⁹
- 4.5 The Commission considered that there are a number of explanations for the low number of women working in the building and construction industry. One important factor is training and education in the industry. The Commission found that in 2000, 99 per cent of the building and construction apprentices and trainees in-training were men. There were also low levels of female participation in industry-related courses such as engineering, architecture and building.¹⁰ In 2008, women are still under-represented in many of these courses.¹¹ Master Builders considers that governments should put in place further measures to encourage women into key specific industry based and related courses.
- 4.6 Some commentators suggest that the low representation of women in the industry is largely a consequence of the low levels of female participation in training and education

⁶ Ibid, p 187. The other industries surveyed were: mining; manufacturing; electricity gas and water supply; wholesale trade; retail trade; accommodation sales; restaurants; transport and storage; communication services; finance and insurance; property and business services; government administration and defence; education; health and community services; cultural and recreational services; and personal and other services.

⁷ Ibid, p 188 citing 1 McGrath-Champ, S., Crawford, L., Tan, A. and Kelleher, J. (2000), 'Women and Ethnic Workers: Issues in the Australian Construction Industry', Paper presented at the AIRAANZ Conference, www.mngt.waikato.ac.nz/depts/sml/airaanz/old/wgtn1998/pro98.htm, p.499.

⁸ *Final Report of the Royal Commission*, Volume 9, February 2003, Chapter 19, p 188.

⁹ Ibid, p 188.

¹⁰ Ibid, p 189.

¹¹ See ABS data for vocational education and training course enrolments, and apprenticeships for the building industry and related areas at [12.14] and [12.15] at <http://www.abs.gov.au/AUSSTATS/abs@.nsf/bb8db737e2af84b8ca2571780015701e/C280D93D00F45E46CA2573D200107D9B?opendocument> accessed on 26/8/08. With respect to engineering, this is also confirmed by Engineers Australia in their publication 'Women in University: Engineering Studies in Australia' (2007).

- in the industry. Others argue that aside from employment and educational levels there are cultural factors within the industry which create barriers to women's participation.¹²
- 4.7 The Commission noted that a common belief in the industry appears to be that women are not suited to working on building or construction sites. A survey of Victorian building industry employers revealed that 54 per cent of respondents believed that women were not employed in the building and construction industry as the work was too physically demanding for them. A further 57 per cent believed that a building site was "no place for women". They cited sexual harassment, pornography, swearing and a lack of acceptance by male workers as impediments to women being employed in the industry.¹³
- 4.8 Construction managers perceived that women were physically less able, required special, separate and costly facilities, had difficulty fitting in with the culture of the industry and would be a distraction for male co-workers. Some subcontractors saw women as a threat to the industry, potentially changing the workplace and adding additional costs such as changes to weights carried and requirements for ladders. Yet the same study found that safety often increases when women are on site.¹⁴ The Commission noted that the primary perception of employers is that women do not work in the industry because they are not interested in the 'hard, dirty work'.¹⁵
- 4.9 Stereotypes are often misleading and inaccurate. Women already work in the industry in a variety of roles, and many are in non traditional trades. Many of these women are passionate about their work. Reading some of their stories is revealing and enlightening in contesting some of the old stereotypes.¹⁶
- 4.10 The Commission also noted that many women who qualify do not actually commence work and those who qualify often leave after an initial period.¹⁷ It suggested that another reason that women leave the industry may be the high level of overt harassment, indirect discrimination and other significant obstacles. It commented that organisational culture was considered to be a major obstacle to increasing the representation of women in the industry. While companies applied a merit principle in

¹² Ibid, p189.

¹³ Ibid, p 189.

¹⁴ Ibid, citing McGrath-Champ, S., Crawford, L., Tan, A. and Kelleher, J. (2000), 'Women and Ethnic Workers: Issues in the Australian Construction Industry', Paper presented at the AIRAANZ Conference, www.mngt.waikato.ac.nz/depts/sml/airaanz/old/wgtn1998/pro98.htm, p.501.

¹⁵ *Final Report of the Royal Commission*, Volume 9, February 2003, Chapter 19, p 189.

¹⁶ For example, see TAFE NSW Illawarra Institute publication "*Supporting Women in a Non Traditional Trade*", written by Fiona Shewring. Accessed at <http://www.skillsone.com.au/Ezine/2/> on 21/8/08. NAWIC also provide some 'stories' of women in the industry generally on their website:

<http://www.buildabetterfuture.com.au/index.cfm?MenuID=40> . A further website 'Women in Trades and Services' (the former recipient of a grant from the Victorian Women's Trust, a private not for profit organisation) provides a directory of women in trades: <http://www.womenintrades.com/boutus.html> See also, for example, 13.3 of this Submission.

¹⁷ *Final Report of the Royal Commission*, Volume 9, February 2003, Chapter 19, p 189.

selecting and advancing employees, 'merit' was treated as including compatibility with a company's existing organisational culture and knowledge of its local supply network.¹⁸

- 4.11 Master Builders submits that these findings indicate that a higher level of support and assistance for women to enter and remain in the construction industry is required.
- 4.12 Master Builders currently has a number of programs in place to provide support and networking opportunities for women to assist them in the industry (discussed below); however there is also scope for government to play a greater role through increased education for men and women already in the industry and for both men and women who are contemplating joining the industry. There is also scope for government to provide greater support programs for women who enter the industry.
- 4.13 The Commission noted that the problems facing women in the building and construction industry in Australia are broadly consistent with experiences in the United States.¹⁹ An analysis of issues facing women in the construction industry in the United States indicated that men assumed women were incapable of performing in the industry until they had proved themselves, that they were unable to supervise men and unable to combine work and family. Women tended to be represented in clerical positions and were prevented from being promoted as advancement was linked to performance on work sites, an area that was male dominated.²⁰
- 4.14 Another study conducted in the United States indicated that there were a number of specific health and safety issues specific to women in the construction industry, such as the prevalence of a generally hostile workplace, restricted access to sanitary toilets, protective clothing and equipment in the wrong sizes and poor on the job training.²¹ The study found that a hostile workplace presented health and safety concerns on several levels ranging from lack of training to physical assault. Women in the construction industry had the second highest rate of sexual harassment complaints per 100 000 employed women across all industries. The study found that women injured themselves more than men as they tended to refuse or not ask for help, or were denied help on asking.²²

¹⁸ *Ibid*, p 189.

¹⁹ *Ibid*, p 191.

²⁰ *Ibid*, p 191 citing Perreault, R. (1992), 'Identification of the Issues Facing Women in the Construction Industry and Their Relative Importance', in ASC Proceedings of the 28th Annual Conference, Auburn University, Auburn, Alabama.

²¹ *Final Report of the Royal Commission*, Volume 9, February 2003, Chapter 19, p 15 citing Advisory Committee on Occupational Safety and Health, Department of Labor (1999), *Women in the Construction Workplace: Providing Equitable Safety and Health Protection*, submitted to the Occupational Health Administration, June 1999.

²² *Final Report of the Royal Commission*, Volume 9, February 2003, Chapter 19, p 15 citing Advisory Committee on Occupational Safety and Health, Department of Labor (1999), *Women in the Construction Workplace*:

- 4.15 The findings indicate that there is a need for greater research into women's experiences in the Australian construction industry to determine how closely these findings continue to run parallel to the Australian experience. Depending on the extent of similarity with the Australian experience, they indicate the need for greater levels of education and positive intervention.
- 4.16 Master Builders would support educational initiatives by the Commonwealth, State and Territory governments to address relevant issues. A special unit on 'women in the workplace' which covers issues relevant to women in the construction industry, and includes training on the practical implications of employee obligations under anti-discrimination law would assist. Governments could also conduct education campaigns, in the form of information brochures or DVDs, targeted advertising and talks for existing workplaces, particularly those where there are already both men and women working together, to ensure that all employees are clear about their obligations under anti-discrimination law.
- 4.17 The Commission noted that a range of strategies to increase the proportion of women working in the building and construction industry have been proposed in several reviews.²³ Efforts to encourage women to enter engineering degree courses and participation at apprenticeship level need to continue. More initiatives at university level to make the engineering curriculum more relevant to women and enrich the profession as a whole are needed. Groups such as Affirmative Action in Training and the National Association of Women in Construction (NAWIC) have taken active steps to promote women in the industry.²⁴ NAWIC is a Master Builders initiative, which is discussed further at 6.2 below. Master Builders submits that further government funded initiatives are also needed as part of a consistent nationwide approach.
- 4.18 The Commission noted that enhanced opportunities for part time work and job-sharing, enhanced child-care facilities, and a focus on maternity leave, equal pay, equal career opportunities, structured mentoring and equal opportunity programs would be likely to assist in encouraging women to enter and remain in the industry.²⁵ Initiatives such as fostering greater teamwork, greater recognition of different skill sets, discouraging stereotyping and promoting the benefits of balancing home and work life would also assist.²⁶
- 4.19 In its submission to the Commission, Master Builders supported greater female representation in the industry. Although Master Builders did not succeed in its attempt

Providing Equitable Safety and Health Protection, submitted to the Occupational Health Administration, June 1999.

²³ *Final Report of the Royal Commission*, Volume 9, February 2003, Chapter 19, p 193.

²⁴ *Ibid*, p 193.

²⁵ *Ibid*, p 193.

²⁶ *Ibid*, p 193.

to have the *National Building and Construction Industry Award* (NBCIA) altered to allow for part time employment, as it was blocked by the CFMEU, this issue may now be largely redundant. The *Workplace Relations Act 1996 (Cth)* now contains explicit provisions regarding the Commonwealth's right to make regulations so that part time employees are entitled to award conditions.²⁷ The regulations contain a number of provisions relating to award conditions for part time employees:²⁸ see Appendix "A".

4.20 The Commission made recommendations for the establishment of a body similar to the ABCC as a body with powers to investigate complaints and enforce laws in the building and construction industry. It envisaged the entity having educative functions which would include encouraging and monitoring strategies to increase the representation of women at all levels of the industry. Master Builders fully supported this recommendation.²⁹ Unfortunately this suggestion was not taken up by Government. Master Builders considers that this recommendation should now be implemented by Government.

5.0 SUMMARY OF RECOMMENDATIONS OF THE COMMISSION

5.1 We now summarise the conclusions of the Commission with respect to the under-representation of women in the industry. The Commission considered that a range of strategies were required if the levels of representation of women in the building and construction industry is to increase:³⁰

- (a) encouraging women to enter engineering degree courses and to undertake apprenticeships;
- (b) making curricula for training courses relating to the industry more relevant to women;
- (c) encouraging training schemes and support groups that support the entry of women workers to the industry;
- (d) enhancing opportunities for part time work and job-sharing and child-care facilities, and focussing on other issues found to cause resistance to the employment of women in the industry, including consideration of maternity leave, equal pay, equal career opportunities, structured mentoring and equal opportunity programs;

²⁷ S526 *Workplace Relations Act 1996 (Cth)*.

²⁸ Regulation 10.1, Part 10, Division 2, Subdivision D *Workplace Relations Regulations 2006 (Cth)*.

²⁹ *Master Builders Australia Inc Submission on the Cole Royal Commission Final Report Part Two* at http://www.aph.gov.au/senate/committee/eet_ctte/completed_inquiries/2002-04/building03/submissions/sub012b.doc, p17-18, as at 11/8/08.

³⁰ *Final Report of the Royal Commission*, Volume 9, February 2003, Chapter 19, p 196.

- (e) fostering greater teamwork and recognition of different skill sets, discouraging stereotyping and promoting the benefits of balancing home and work life, in the workplace;
- (f) education in relation to, and enforcement of, sex discrimination and harassment laws;
- (g) including in Codes of Practice for the industry provisions that increase the employment of women on building and construction projects; and
- (h) governments refusing to deal with companies which contravene sex discrimination and harassment laws.³¹

5.2 In Recommendation 143 the Commission said:

“The Australian Building and Construction Commission, as part of its educative function, be empowered to encourage and monitor strategies to increase the representation of women at all levels in the building and construction industry.”³²

Master Builders continues to support recommendation 143, as it did in its original submission,³³ together with the broader strategies summarised above. Part time work is now provided for under the *Workplace Relations Act 1996* (Cth), which assists women with family responsibilities, who are working in or who are considering applying for roles in the building and construction industry (refer to Appendix A).

6.0 MASTER BUILDERS POSITION ON WOMEN IN CONSTRUCTION GENERALLY

- 6.1 Master Builders recognises that it is important for women to be supported, mentored and recognised by people committed to increasing female representation.
- 6.2 Accordingly, in 1995 Master Builders assisted to form the National Association of Women in Construction (NAWIC). NAWIC supports women in the construction and related affiliate industries. Its mission includes increasing the participation of women in the construction industry, and the promotion of women in construction to government, the industry and the media. NAWIC provides networking opportunities and other services to its members. It also honours women in construction through an annual national awards night. NAWIC will be making a separate submission to the Inquiry.
- 6.3 Master Builders also assisted with the formation of Women in Construction and Related Industries, a networking and mentoring group with roughly 80 members in the Newcastle area. There is also an equivalent group in Victoria, formed through Master Builders.

³¹ Ibid, p 196.

³² Ibid, p 196.

³³ *Master Builders Australia Inc Submission on the Cole Royal Commission Final Report Part Two* at http://www.aph.gov.au/senate/committee/eet_ctte/completed_inquiries/2002-04/building03/submissions/sub012b.doc, p17-18, as at 11/8/08.

6.4 Master Builders is also involved in programs which are designed to encourage women into the industry, in conjunction with government and related entities. (For example, see 13.5 below, relating to a Tasmanian program).

7.0 COMMONWEALTH, STATE AND TERRITORY INITIATIVES RELATING TO WOMEN IN THE BUILDING AND CONSTRUCTION INDUSTRY

7.1 The following sections of this submission provide an overview of some Commonwealth, State and Territory initiatives relating to women in the building and construction industry. It does not purport to be definitive.

7.2 Master Builders considers that initiatives to encourage women into appropriate professions and trades in the construction industry would be of benefit; furthermore, given the skills shortage in the industry at present³⁴ these initiatives are likely to be supported and encouraged by employers.

7.3 A consistent, coordinated national approach would be of benefit. The initiatives and programs in place at present appear to be disparate and, in most jurisdictions, piecemeal. Many of the State and Territory programs are run by different Departments from State to State. Furthermore, some initiatives are also conducted by entities which are not government bodies (for example, the training fund authorities funded by industry in certain States and Territories). There also appears to be a lack of coordination and communication between different levels of government (State, Territory and Commonwealth) and within certain levels of government between their Departments about programs. As a consequence, a coordinated approach would assist women considering entering the industry.

7.4 Master Builders submits that there is a need for more research concerning gender specific issues. At present, there is little research undertaken and the material that is available appears dated.

8.0 COMMONWEALTH INITIATIVES

8.1 The Constructive Mentoring Program was launched in November 2006 and terminated in June 2008. The program was an initiative and grant recipient of the Commonwealth Government's Building Entrepreneurship in Small Business program run through Austrade. It was formed jointly by Master Builders, the National Association of Women in Construction (NAWIC), and the Royal Australian Institute of Architects (RAIA) now known as the Australian Institute of Architects (AIA).

8.2 The Constructive Mentoring Program used a structured mentoring system, supplemented by online resources to deliver practical information to women within the

³⁴ Master Builders Media Release, *Skills Australia a Building Block for the Future*, 13 February 2008

construction industry. An independent consultant developed the mentoring content and online components of the program and managed its administration. The program linked with professional development and business skills training programs already provided by the three partner associations, as well as providing opportunities for networking and creating professional connections. The program was initially developed through metropolitan and regional NSW before being expanded throughout Australia to mid-2008.

- 8.3 In the past the Commonwealth also put in place a program known as ‘Women in Non Traditional Trades’, which was conducted through the Australian Apprenticeships Program; however this program was discontinued in 2006.³⁵ The program involved a payment to the employer of \$1,000 per female apprentice, in addition to the standard incentives an employer would otherwise receive for taking on an apprentice.³⁶

Ongoing incentives for apprentices through the Australian Apprenticeships Program and related areas are now non gender specific.³⁷

- 8.4 Master Builders supports ongoing Commonwealth funding for programs of this kind where the programs are able to achieve measurable results, in light of the recommendations of the Commission. However Master Builders considers that they should be combined with an oversight function by the ABCC, as originally envisaged by the Commission.

9.0 QUEENSLAND

- 9.1 In 2007, the Queensland Government launched “Girls in Hard Hats”, designed to encourage more women into professions and occupations in mining, construction, science and technology.³⁸ The program consists of a series of panel events to offer high school girls the opportunity to meet and discuss their career plans with successful women working in these fields. It also showcases women’s achievements in mining, construction, science, engineering and technology, and is designed to raise community awareness of career prospects for women in these fields. It is linked to the *Smart State Strategy 2005-2015*, and to the *Smart Women – Smart State Strategy: Science, Engineering and Technology Action Plan* which outlined strategies to increase women’s education, training and employment within these areas.³⁹

- 9.2 At the time the latter strategy was developed, the Smart Women – Smart State Strategy Taskforce also commented on gaps in accurate and accessible quantitative

³⁵ Based on an email from an officer of the Australian Apprenticeship Centre ‘Employment ACT’ on 15/08/08

³⁶ Based on a conversation with an officer of DEEWR on 21/8/08.

³⁷ According to a conversation with an officer of DEEWR on 19/8/2008.

³⁸ Queensland Government, Office of Women website at <http://www.women.qld.gov.au/work-and-life/women-in-hard-hats/> as at 11/8/08

³⁹ Ibid.

and qualitative data to provide an accurate picture of women's participation in the Science Engineering and Technology industries. The Queensland Government provided further specifics of the type of information to be gathered and information relating to future research proposals in this regard, the timetable, and the responsible agencies and partners in the Smart Women – Smart State Strategy. The information gathered would appear to be primarily for internal tracking purposes at this stage. Master Builders considers that the Queensland government is to be commended for its initiatives in this regard and considers that more data should be developed and publicly released to provide a better picture of women's participation.

- 9.3 The Queensland government in 2008 offered 'Women in Trades Grants' to encourage women to participate in trades. These were grants for up to \$10,000 for projects or programs that worked towards supporting and furthering the Office of Women's goals in relation to increasing women's participation in non-traditional trades relevant to the construction industry.⁴⁰ Ten grants were made in 2008.⁴¹
- 9.4 The Queensland Office for Women also ran a 'Women in Construction Week' in partnership with Construction Skills Queensland in March this year.⁴² Construction Skills Queensland is funded through that State's Building and Construction Industry Training Fund. This year's "Women in Construction Week" included the opportunity for women to try various trades. Participants also had the opportunity to meet and talk with tradespeople, apprentices, teachers and local business people. Over 350 young women participated in this event, a high proportion thought it was 'very good' and a number of women who would not previously have considered a career in the industry would consider it as a result of "Women in Construction Week".⁴³
- 9.5 In the past 20 years in Queensland women working in the building and construction industry has grown by 60% to 108,800. In recognition of this growing number of women, the Queensland Master Builders Association has incorporated a new award, *Women in Building Award*, into its Award ceremonies.⁴⁴ The winner of this award was a Project Manager who worked her way up from being a Contracts Administrator.

10.0 VICTORIA

- 10.1 Victoria currently provides up to three \$10,000 scholarships awarded by the Department of Infrastructure to support and encourage women currently working within

⁴⁰ <http://www.women.qld.gov.au/about-us/grants/> as at 15/8/08.

Closing date for applicants 2 June 2008. Queensland Office for Women.

⁴¹ Based on a conversation with an officer of the Queensland Office of Women on 20/8/08.

⁴² http://www.csq.org.au/index.php?option=com_content&task=view&id=568&Itemid=596 as at 15/8/2008.

⁴³ Based on a conversation with an officer of the Queensland Office of Women on 20/8/08.

⁴⁴ Media Release from Queensland Master Builders Association, *New award categories recognise excellence in building industry*, 18 July 2008

or aspiring to work within the fields of science, engineering, technology and construction. This support enables women to undertake a Masters, PhD or postgraduate degree in these fields.⁴⁵ In 2008 they awarded three scholarships. The women were studying:

Master of Social Science (Environment and Planning) RMIT, Melbourne

Master of Engineering Structures - Melbourne University

Master of Environmental Engineering - Melbourne University

- 10.2 Victoria also launched a booklet in 2005 that encourages Victorian women to consider a career in the building and construction industry.⁴⁶ The booklet was distributed at secondary schools, TAFE campuses and industry organisations. The booklet promoted the role already played by women in the industry and sought to encourage more women to consider a career in the industry.
- 10.3 Victoria also has an initiative 'Workforce Participation Partnerships: Construction Trades Apprenticeship Program for Women'. The Workforce Participation Partnerships is a grants program which funds partnerships with organisations to prepare jobseekers for careers in different industries, including the construction industry.⁴⁷ The program has funded approximately 140 projects in different industries over the last two years.
- 10.4 The Project with respect to the construction industry created employment and apprenticeships for women within the industry in trades such as electrical, carpentry, plastering (fit out and finish) etc and offered training in the construction industry. The project achieved what the Department described as "sustainable employment outcomes"⁴⁸ for 14 women. This means that the employment was maintained for at least 16 weeks, which was considered to be a good indicator of ongoing employment based on their post-program monitoring.⁴⁹

11.0 ACT

- 11.1 The ACT Building and Construction Industry Training Fund Authority has a program called Women in Non-Traditional Vocations which is targeted towards women in the industry.⁵⁰ The ACT Building and Construction industry Training Fund Authority is a statutory authority. It is funded through a levy collected when building plans are lodged

⁴⁵ *Leading with Victoria's Women: Progress Report 2006-07*, at <http://www.women.vic.gov.au/web12/owpMain.nsf/allDocs/RWP1504D94408BFA609CA2573DA0008EABF?OpenDocument> p 8, as at 11/8/08.

⁴⁶ www.dtf.vic.gov.au/domino/Web_Notes/newmedia.nsf/35504bc71d3adebcca256...

⁴⁷ Based on conversations with officers of the Department of Innovation Industry and Regional Development in Victoria on 18/8/08.

⁴⁸ Based on an email with an officer of the Department of Innovation Industry and Regional Development on 19/8/08.

⁴⁹ Based on an email with an officer of the Department of Innovation Industry and Regional Development on 21/8/08.

⁵⁰ Based on a conversation with an officer of the ACT BCITFA on 18/8/08.

for approval collected through the ACT Planning and Land Authority, and various other means.

- 11.2 In 2008/2009 a total of \$2000 is available as an Access and Equity incentive through that program. The first payment of \$1000 is made to an employer 3 months after commencement and the balance is paid to the employer upon completion of the 12 months.⁵¹ The program focuses on trades. For 2008, the incentives are available for women in any trade area.⁵² The vocations funded by the organisation include bricklaying, electrical, painting and decorating, plumbing, carpentry and horticulture.⁵³ The program has been running since 2003, and in that time, a total of \$32,000 has been paid to employers of women in non traditional trades.⁵⁴
- 11.3 The ACT Building and Construction Industry Training Fund Authority is also producing a DVD, to encourage women in schools to consider taking up a trade in the building and construction industry. The DVD covers traditional trades (electrical, building and construction work, plant and equipment operation etc.) in the industry, together with landscaping, gardening and related areas.⁵⁵ This initiative is likely to be launched by the ACT Minister for Education and the ACT Minister for Women in September.

12.0 NEW SOUTH WALES (NSW)

- 12.1 The NSW Department of Industrial Relations website notes that in NSW, the construction industry has a very low proportion of female employment. It states that within the industry women are frequently employed in lower paid and lower status positions.⁵⁶
- 12.2 NSW formerly had a program for women in non traditional occupations including the construction industry. The 'Women and Work Unit' that handled that program was abolished and restructured and the program no longer exists.⁵⁷

13.0 TASMANIA

- 13.1 In Tasmania, a number of initiatives are taking place to specifically assist and encourage women into the construction industry; however it would appear that most government programs are non gender specific.⁵⁸

⁵¹ Website of the BCITFA at <http://www.trainingfund.com.au/employers.html> accessed on 18/8/08.

⁵² Based on a conversation with an officer of the ACT BCITFA on 18/8/08.

⁵³ Ibid, on 20/8/08.

⁵⁴ Based on a conversation and email confirmation with an officer of the ACT Building and Construction Industry Training Fund Authority on 20/8/08.

⁵⁵ Ibid; See also the '2008 Training Plan' for further detail of some of these initiatives at <http://www.trainingfund.com.au/plan.html> as at 18/8/08.

⁵⁶ 'Women's pay and employment patterns', NSW Department of Industrial Relations, at www.industrialrelations.nsw.gov.au/workandfamily/payequity/patterns.html as at 11/08/08.

⁵⁷ Based on a conversation with an officer of the NSW Department of Industrial Relations as at 11/08/08.

- 13.2 The Tasmanian Building and Construction Industry Training Board (TBCITB) has as an objective that more women should be encouraged to pursue a career in the industry. The TBCITB was established under the *Building and Construction Industry Tasmanian Training Fund Act 1990* to facilitate quality training for the building and construction industry. The TBCITB is not a government entity. It is instead funded through a levy on industry.
- 13.3 The TBCITB is currently undertaking research to explore why more women are not joining the industry. The TBCITB has also developed some material that encourages women into the industry, and showcases women doing well in the industry.⁵⁹
- 13.4 TBCITB will be putting together an incentive program to encourage more women into trades in the industry. This program, called the Women in Building and Construction Program, will be run under the Board's building and construction centre for excellence which will be launched in September.⁶⁰
- 13.5 During August and September 2008, Master Builders Tasmania is delivering 'Pathways into the Building and Construction Industry' presentations to high schools throughout Tasmania. The presentations primarily target Year 9 students but also Year 10 students. The students are given an overview of the careers available in the industry. This program has been developed by Master Builders Tasmania who receive funding from the TBCITB for its delivery. There is an emphasis on women entering the industry; Master Builders Tasmania presenters in the North and South are accompanied by female apprentices who address the students and emphasise the opportunities for women in the building and construction industry. A DVD is also shown which showcases both men and women in the industry.
- 13.6 As part of the National *youthBUILD* Foundation, a partnership was formed between the Tasmanian Department of Education and an industry association as part of the *Guaranteeing Futures* vocational initiatives. Five schools in Hobart's northern suburbs each selected 16 Year 10 students to spend one day per week throughout the year in the *youthBUILD* facility.

14.0 WESTERN AUSTRALIA

- 14.1 The WA government does not appear to have any programs specifically targeted at encouraging more women into the construction industry.⁶¹

⁵⁸ Based on a conversation with an officer of Women Tasmania on 12/08/08.

⁵⁹ 'Women in Building and Construction Tasmania', publication of the TBCITB. The website is: <http://www.tbcitb.com.au/>

⁶⁰ Based on a conversation with an officer of the TBCIB on 19/8/08.

⁶¹ Based on a conversation with an officer of the Department on 8/08/08.

- 14.2 The Building and Construction Industry Training Fund (BCITF) also does not have any programs specifically targeted to getting more women into the industry; there are strong incentives but they are not gender specific.⁶² The BCITF is a separate organisation funded through a levy on construction projects of more than \$20,000.
- 14.3 The Department of Consumer and Employment Protection in WA has a number of relevant statistics on its website.⁶³ It notes that women are under-represented in the construction industry in Western Australia, and the gender pay gap in the construction industry is significant. Furthermore, it argues that the gender pay gap can cause lower income in the short term, as well as lower lifetime earnings and retirement savings.⁶⁴

15.0 SOUTH AUSTRALIA

- 15.1 The website of the Office of Women in SA confirms that women historically are under-represented in the construction industry in South Australia.⁶⁵
- 15.2 There do not appear to be any specific programs in South Australia which are aimed at encouraging women into the construction industry or supporting and retaining women in the industry.⁶⁶

16.0 NORTHERN TERRITORY

- 16.1 The Northern Territory does not appear to have any programs specifically targeted at women in the construction industry, or considering entering the construction industry.⁶⁷ The Northern Territory Government does not appear to have any statistics relating to women in the construction industry on its Government websites.

17.0 CONCLUSION

- 17.1 Increasing women's participation in the industry in a broader range of roles is likely to help address the gender pay gap in the industry which is not fully understood or properly articulated in reliable research. In particular, women should be encouraged into key trades, and into professional and managerial roles in the industry. Maintenance of part time Award provisions is also an important consideration.

⁶² Building and Construction Industry Training Fund, at <http://www.bcitf.org/default.aspx?id=271> as at 15/8/08.

⁶³ Based on a conversation with an officer of the Department on 8/08/08.

⁶⁴ 'Pay Equity in the WA Construction Industry', Department of Consumer and Employment Protection, WA Government <http://www.docep.wa.gov.au/LabourRelations/Content/Work%20Life%20Balance/Pay%20Equity/index.htm> as at 11/08/08.

⁶⁵ *Women at Work: Towards A Women's Employment and Workforce Development Strategy*. Office of Women and SA Department of Education, Employment, Science and Technology. July 2005, p43.

⁶⁶ Based on general searches of the SA government website including <http://www.officeforwomen.sa.gov.au/> and conversations with officers of various State government departments on 15/8/08.

⁶⁷ Based on material on government websites, and '*Building on our Strengths: A Framework for Action for Women in the Northern Territory 2008-2012.*' at

http://www.nt.gov.au/dcm/women/pdf/WomensPolicyFramework_2008-2012.pdf on 12/08/08. Based also on a conversation with an officer of the NT Office of Women's Policy on 12/08/08.

- 17.2 Master Builders suggests that Commonwealth, State and Territory governments coordinate their initiatives in this area as part of a national strategy through the ABCC, to encourage more women into the building and construction industry and to support women already in the industry. Indeed, it was the recommendation of the Commission that the entity which became the ABCC as part of its educative function, be empowered to encourage and monitor strategies to increase the representation of women at all levels in the building and construction industry. Master Builders believes this recommendation should be implemented by government.
- 17.3 At present, initiatives to encourage women into the building and construction industry appear to be disparate and (in some jurisdictions) piecemeal, varying between States and Territories.
- 17.4 Commonwealth programs involving incentives for women in non traditional trades should be extended, and programs involving mentoring for women already in the industry through organisations like Master Builders should be extended and expanded. The coordinated national strategy through the ABCC should also be charged with overseeing the implementation of the Commission's recommendations generally with regard to the under representation of women in the industry. The strategies suggested by the Commission are listed at 5.1 and 5.2 of this submission.
- 17.6 Master Builders submits that the industry would also benefit from further Government-funded educational measures focused towards existing employees and students preparing for the industry, showcasing women's achievements in the industry, and discussing the application of women's equity principles in the workplace. These measures should assist in contributing towards cultural change in the industry.

Workplace Relations Act 1996 (Cth)**Part 10—Awards****Division 2—Terms that may be included in awards****Subdivision D—Regulations relating to part time employees****526 Award conditions for part time employees**

- (1) The regulations may do either or both of the following in relation to an award:
 - (a) provide for the award to have effect so that a part time employee is entitled to conditions to which a full-time employee is entitled under the award;
 - (b) provide for the award to have effect so that conditions to which a part time employee is otherwise entitled under the award (including because of paragraph (a)) are adjusted (in accordance with the regulations or a method set out in the regulations) in proportion to the hours worked by the part time employee.
- (2) The award has effect accordingly.

Workplace Relations Regulations 2006 (Cth)**Part 10, Division 2, Subdivision D, regulation 10.1 provides:**

10.1 Award conditions for part time employees

- (1) For paragraph 526 (1) (b) of the Act, this Subdivision applies only in relation to:
 - (a) an award that does not provide for part time employment as a type of employment under the award; or
 - (b) an award that:
 - (i) provides for part time employment as a type of employment; but
 - (ii) limits the application of pro-rata conditions for part time employees to:
 - (A) a period of part time employment after parental leave; or
 - (B) a specified class of work.

Note A specified class of work could be identified by reference to the nature of the work, for example:

- (a) work as a cleaner; or
- (b) work in particular classifications (such as clerical office employees).

If a specified class of work is identified, all other part time employees outside that class would be affected by the regulation.

- (2) The award has effect in relation to the matter so that conditions (other than the conditions mentioned in sub-subparagraph 10.1 (1) (b) (ii) (A) or (B)) to which a part time employee is otherwise entitled under the award are adjusted, in accordance with this regulation, in proportion to the hours worked by the part time employee.
- (3) The adjustment is to be made on a pro-rata basis, in accordance with the following principles:
 - (a) the conditions are to be adjusted on a pro-rata basis, using all hours worked by the part time employee for which the part time employee is entitled to be paid;

- (b) if time spent in approved training forms part of the hours for which a part time employee to whom a training arrangement applies is entitled to be paid, that time is to be counted as time worked by the employee;
- (c) the application of the pro-rata basis does not affect any condition that is not related directly to the hours worked by:
 - (i) employees in general; or
 - (ii) the part time employee;
- (d) the pro-rata basis is to be applied in relation to conditions to which a full-time employee who is doing the same kind of work is entitled under the award.

Example for paragraph (c)

Conditions that provide an entitlement to the reimbursement of expenses incurred in the course of employment (for example, reimbursement of meal expenses) do not relate directly to the hours worked by the part time employee: the fact that meals will be required at particular times is only incidental to the hours that the part time employee works. Therefore, the condition will continue to apply in full to the part time employee despite the application of the pro-rata basis.