



**Submission of the Equality Rights Alliance  
to the Inquiry of the Select Committee  
on Work and Care**

**23 September 2022**

## Equality Rights Alliance

Equality Rights Alliance (ERA) is Australia's largest network of organisations advocating for women's equality, women's leadership and recognition of women's diversity. We bring together 67 non-government organisations and social enterprises with a focus on the impact of policy or service delivery on women. We are one of the six National Women's Alliances, funded by the Commonwealth Office for Women.

The following ERA member organisations endorse this submission in whole or in part:

Aboriginal Legal Rights Movement	Multicultural Women Victoria
Alevi Federation of Australia	MSI Australia
Amnesty International Australia	National Association of Services Against Sexual Violence
Australasian Council of Women and Policing	National Council of Churches of Australia
Australian Baha'i Community – Office of Equality	Gender Commission
Australian Centre for Leadership for Women	National Council of Jewish Women of Australia
Australian Council for International Development	National Council of Single Mothers and Their Children
Australian Federation of Medical Women	National Council of Women of Australia
Australian Graduate Women	National Foundation for Australian Women
Australian Women's Health Network	NGO Women's Rights & Gender Equality Network
CARE Australia	NSW Council of Social Services
Children by Choice	National Older Women's Network
COTA Australia	National Union of Students (Women's Department)
FECCA Women's Committee	Of One Mind
Feminist Legal Clinic	Project Respect
Fitted for Work	Public Health Association of Australia (Women's Special Interest Group)
Girl Guides Australia	Reproductive Choice Australia
Good Shepherd Australia New Zealand	Safe Motherhood For All Inc
Homebirth Australia	Sexual Health and Family Planning Australia
Human Rights Law Centre	Sisters Inside
Immigrant Women's Speakout Association NSW	Soroptimist International of Australia
International Women's Development Agency	United Nations Association of Australia
Jessie Street National Women's Library	Status of Women Network
Justice Connect	UN Women Australia
Maternal Health Matters Inc	Victorian Immigrant and Refugee Women's Coalition
Maternal Scholars Australia	
Maternity Choices Australia	
Migrant Women's Lobby Group of South Australia	

VIEW Clubs of Australia  
Women's Equity Think Tank  
Violence Prevention Australia  
Women's Housing Ltd  
Women in Adult and Vocational  
Education  
Women's Information Referral Exchange  
Women in Engineering Australia  
Women's International League for Peace  
and Freedom

Women on Boards  
Women's Legal Services Australia  
Women Sport Australia  
Women's Property Initiatives  
Women With Disabilities Australia  
Working Against Sexual Harassment  
Women's Climate Congress  
YWCA Australia  
Women's Electoral Lobby  
Zonta International Districts 22, 23 and 24

## Introduction

ERA welcomes this opportunity to provide input to the Senate Select Committee on Work and Care as it investigates the impact that combining work and care responsibilities has on the wellbeing of workers, carers, and those they care for. We note the committee is considering evidence on the extent and nature of work and care arrangements, the adequacy of current support systems, and effective work and care policies and practices in place in Australia and overseas.

This submission focuses on paragraphs b, c, d and f of the terms of reference, and also places this discussion in the context of the ongoing Jobs and Skills Summit discussion.

## RECOMMENDATIONS

ERA recommends:

1. That the Committee notes the importance of the Gender Responsive Budgeting (GRB) initiative and recommends the successful implementation of GRB and transparent and published Gender Impact Assessment (GIA) across all Departments, but particularly within those Departments participating in the Jobs and Skills Summit discussions.
2. That the Commonwealth work with the Workplace Gender Equality Agency (WGEA) to produce a report on access to and take up of flexible working arrangements and paid parental leave (PPL) within the APS, with

a focus on highlighting the differences between Departments and employment outcomes following return to work from PPL or commencement of flexible working arrangements, including whether parents return to flexible working following PPL and how people working flexibly compare with full time employees in earnings, promotion and access to workplace benefits and training.

3. That the Commonwealth include in its climate change response planning:
  - a. An increased focus on research and analysis about how adverse weather events affects women's work, both paid and unpaid, and what support services are / planning is required both immediate and longer term;
  - b. Including in all disaster recovery plans provision for the reopening / rebuilding of critical support structures for women providing care, such as childcare centres, aged care facilities and respite centres;
  - c. Funds for local government to anticipate and deliver effective pop-up emergency coordination; and
  - d. Specific targeted, long-term support to minimise the detrimental effects of the additional unpaid and voluntary work taken up by women in direct relation to the effects of disaster.
4. That the Commonwealth amend the *Paid Parental Leave Act 2010* to:
  - a. Add Superannuation Guarantee payments to Paid Parental Leave payments;
  - b. Change the period of leave to 7 weeks for each parent with an additional 12 weeks which can be shared between the parents at their discretion; and
  - c. Provide access to the entire 26 weeks of leave for sole parents.
5. That the Commonwealth build a fairer and stronger social security system that supports women in unpaid care work by:

- a. Increasing all social security payments to at least \$70 per day;
  - b. establishing an independent commission to set income support rates and to monitor the effectiveness of the payments in alleviating poverty and supporting people performing unpaid care;
  - c. Restoring access to the Parenting Payment Single for sole parents who have a dependent child of up to and including 16 years old; and
  - d. Investigating the feasibility of replacing all current existing social security payments with a 'basic income' payment, supplemented by additional allowances for groups with identified needs.
6. That the Commonwealth restore the Fair Work Commission's Pay Equity Unit with a continuing research function to assist with equal remuneration and care sector cases.
  7. That the Commonwealth scrap the activity test for the Childcare Subsidy, making ECEC available to all preschool aged children.

## A NOTE ON TERMINOLOGY AND FOCUS

Throughout this submission ERA refers to 'women' and 'men', and often assumes a heteronormative relationship between adults. We acknowledge that the question of work and care can be significantly less clear cut and more complex for people in heterodox relationships, and for transgender people, gender fluid people and people who do not identify on the gender binary. People of marginalised genders experience multiple, diverse, and intersecting forms of discrimination in both paid work and in the provision of care. In some circumstances they may be actively prevented or discouraged from engaging in the types of care work which cis women are expected to perform in heterosexual relationships. There is limited research on this subject,<sup>1</sup> and we

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<sup>1</sup> One of the few studies to consider the effects of the COVID-19 lockdowns on people in same sex or single parent relationships is a paper by Craig L, Churchill B. *Unpaid Work and Care During COVID-19: Subjective Experiences of*

encourage the Committee to note this fact and recommend further research is done in this area.

We also note that the experience of performing care work and the social norms around the performance of paid or public work by women can be highly culturally specific, which complicates the interaction between gender and work. Women from migrant and refugee backgrounds and Aboriginal and Torres Strait Islander women may also experience multiple, diverse, and intersecting forms of discrimination (such as racism) or other barriers which significantly complicate the relationship between care work and paid work. In its submission to the 2021 review of the Workplace Gender Equality Agency Act, Harmony Alliance included *“lower levels of English language proficiency, lower educational levels (particularly for humanitarian entrants who are more likely to have had limited or disrupted schooling prior to migration), challenges in gaining recognition of overseas experience and qualifications, and gaining professional accreditation”* as key barriers to work for these women, along with migration status and poverty.<sup>2</sup> The experience of care work for migrant women is also complicated by the fact that so many migrant women end up working in undervalued and underpaid care-based industries, such as childcare and aged care. We encourage the Committee to seek specialist advice about appropriate policy responses to meet the needs of these communities.

Finally, we note that work and care are extremely complicated concepts for women with disability, many of whom are denied the right to engage in care work by being deemed (generally arbitrarily) unable to raise their own children or care for ageing relatives etc. Others are denied the right to work through bias, discrimination or a lack of access to supports and infrastructure to enable education and workforce engagement. While there are some avenues for providing supports for women with disability in paid workplaces, access to supports for women with disability providing unpaid care is generally limited to what the woman can source and afford herself. As above, diverse, multiple, and intersecting forms of discrimination further complicate the relationship between care and paid work for women with disability, and it is important to note that

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*Same-Sex Couples and Single Mothers in Australia*. Gender & Society. 2021;35(2):233-243.  
[doi:10.1177/08912432211001303](https://doi.org/10.1177/08912432211001303). ERA commends this study to the Committee.

<sup>2</sup> Harmony Alliance *Submission to the Review of the Workplace Gender Equality Act 2021* 2021  
<https://harmonyalliance.org.au/wp-content/uploads/2021/12/Harmony-Alliance-submission-Review-of-the-Workplace-Gender-Equality-Act-2012.pdf>

some women and girls are denied the opportunity to engage in parenting at all by laws and health policies in Australia, including those which enable sterilisation without consent and those which promote the removal of children from the care of women with disability. We encourage the Committee to seek specialist advice about appropriate policy responses to meet the needs of these women.

## UNDERSTANDING 'WORK' AND 'CARE'

Both work and care are foundational to the value of our livelihoods and lives. But the pressures of the pandemic have shown us that the current policy settings for work, care, and family are broken. Households continue to face enormous challenges as they negotiate their work and care responsibilities. These challenges will intensify with the effects of climate change, increasing geopolitical insecurity, and future pandemics, each of which has the capacity to worsen existing social and economic inequalities.

The problem of the oppressive gender norms which sit beneath our social and economic systems has been understood for many years, and yet we have not managed to achieve significant change to those norms. Those measures which have been implemented (measuring wage gaps, implementing pathways for women's leadership etc) have not managed to shift our underlying gendered values sufficiently to remove the fundamental causes of gender inequity in work and care.

The government's Jobs and Skills Summit in September stressed the importance of addressing women's under-utilisation in the workforce as a response to low unemployment rates. The problem with the analysis from the Jobs and Skills Summit is that it sees women's labour participation as limited to formal paid work rather than reframing the concept of labour to include all forms of work. Within the narrative of the Jobs and Skills Summit, women are 'under-utilised', or an 'untapped resource'. At the Summit, ERA made the point that *'most women are already working full-time, even more than full-time. We're just not paid for it.'*<sup>3</sup> Care is a form of work. The skills shortage in the paid workforce has been mirrored by a skills shortage in the world of unpaid care, especially

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<sup>3</sup> Intervention by Helen Dalley-Fisher, Equality Rights Alliance at the Jobs and Skills Summit on 1 September 2022 <https://www.equalityrightsalliance.org.au/era-at-the-jobs-and-skills-summit/>

since the COVID-19 pandemic, and especially for women working in sectors placed under pressure by the pandemic.

Recognising and valuing the care work done by women is a necessary shift in thinking if we are to effectively address both women's workforce participation and the problematic gender norms which sit beneath our understanding of care. Failing to identify care as work will continue to obscure the invisible process of limitation whereby women curtail their career ambitions and earning potential to accommodate their various forms hidden work. Women should not be expected to juggle invisible work with paid work.

It's important that we name these types of unrecognised work. The most visible categories include care for children and grandchildren, care for aging parents, care for people (including but not limited to family members) with disability and providing unpaid assistance to communities in the form of volunteering. Less visible is the work done by women in providing organisational and emotional support to family members, friends, and communities. This includes work such as the 'project management' aspects of family life (keeping track of birthdays, arranging appointments for children and aging parents, monitoring and mediating the mental and physical health of family members etc) along with informal community-based work such as keeping an eye on older neighbours and dedicating time to supporting and listening to friends and family.

This second category of project management and emotional work will become increasingly important as communities are placed under stress through climate-related disasters. The fact that women are more likely than men to have been socialised to identify and prioritise the needs of others means that in times of crisis we rely heavily on women to pick up the pieces.<sup>4</sup> An escalation of this trend in the face of climate change will have ramifications for the capacity of women to maintain paid work (see pg 8 below for more discussion of this issue).

Even if the Jobs and Skills Summit discussion *is* limited to considering women as potential wage earners, failing to name the care provided by women as 'work' will leave us with an inadequate assessment of women's actual capacity to engage in paid work and will obscure the important economic role played by

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<sup>4</sup> See for example Tondorf, Christine *On International Women's Day, we salute the women working on the Coast's Flood recovery* Social Futures 7 Mar, 2022 <https://socialfutures.org.au/on-international-womens-day-we-salute-the-women-working-on-the-coasts-flood-recovery/> Accessed 11/9/22

women in meeting a range of non-negotiable care obligations without remuneration. To put it simply, if we want women to work more to meet labour shortages, we must identify and grapple with the massive cost we would incur if women were not available to perform their unpaid care.

Identifying unpaid care as work opens the door to solutions such as the redistribution of unpaid care between the sexes or the provision of some form of economic recognition of the work done by women. Without the recognition that care is work, ERA fears that women will be expected to carry increasingly unsustainable workloads. ERA therefore advocates for the recognition and valuing of all work performed by women, paid or unpaid, and for a more equitable distribution of that work between the sexes, to enable more paid economic activity for women while making care work more visible by bringing it into the lives of men.

One new development which will assist in building an environment in which all forms of work can be made visible and valued is the proposed introduction of Gender Responsive Budgeting (GRB) and Gender Impact Assessment (GIA) in the federal policy environment. The making of effective policy relating to women's various types of work has been significantly hampered by the invisibility of women's lives in public discourse and policy making. The push to implement GRB and GIA in federal policy development creates an environment in which accepted norms about economic participation and what constitutes 'work' can be more easily challenged.

On that basis, ERA asks the Committee to note the importance of the GRB initiative and recommend the successful implementation of GRB and GIA across all Departments, but particularly within those Departments participating in the Jobs and Skills Summit discussions.

## **RESPONSE TO THE TERMS OF REFERENCE**

**b. The impact of combining various types of work and care (including of children, the aged, those with disability) upon the well-being of workers, carers and those they care for.**

In the evolving environment of the COVID-19 pandemic and the increasing incidence of climate-related disaster, it is important that we consider the impact of disaster and pandemic on women performing both unpaid care work and paid work.

The ILO has identified four key elements in the effects of disaster on women globally. Each of these factors involve the interaction between care and paid work in some way. The first factor is an increase in women's economic insecurity as productive assets are destroyed, small businesses are closed and women lose jobs and work time.<sup>5</sup> In Australia, we can add that the high levels of casualised and insecure paid work performed by women adds to the likelihood that their income will be reduced or cut off in the event of a crisis. Women who see their unpaid work increase during crisis (see pg. 7 above) may have to declare themselves unavailable for work, as family and community needs take priority over the women's long-term economic security and recovery. This has particularly problematic implications for women's retirement incomes, which are already significantly below that of men.<sup>6</sup>

The second effect is a dramatic increase in women's workloads as women engage new forms of "disaster work," including emergency response and political organizing while simultaneously taking on expanded responsibilities as caregivers while childcare centres and aged care facilities remain closed. While the pandemic and climate-related disasters have significant differences, it's worth noting the parallels here regarding women taking on the primary burden of increased care for children who cannot attend school or childcare during lockdown.

The third factor identified by the ILO describes a deterioration in women's working conditions in both the household and in paid workplace, for example through lack of child-care and increased work and family conflicts and the final factor is that financial recovery is much slower for women, as they are less mobile than male workers, likely to return to paid work later due to increased

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<sup>5</sup> Enarson, Elaine *Gender and Natural Disasters* Working Paper of the Infocus Programme on Crisis Response and Reconstruction ILO 2000 p. viii [https://www.ilo.org/wcmsp5/groups/public/---ed\\_emp/---emp\\_ent/---ifp\\_crisis/documents/publication/wcms\\_116391.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_emp/---emp_ent/---ifp_crisis/documents/publication/wcms_116391.pdf)

<sup>6</sup> Australian Super's *Future Face of Poverty Report* in 2018 found that women retire with 42% less super than men. see <https://www.australiansuper.com/-/media/australian-super/files/campaigns/future-women/the-future-face-of-poverty-is-female.pdf> We note that the effects of the withdrawal of superannuation by young women in the early stages of the COVID-19 pandemic are not yet represented in this figure, meaning it is likely to rise significantly.

unpaid care work, and often fail to receive equitable financial recovery assistance from the government and/or external donors.<sup>7</sup>

We have seen these four factors play out across Australia over many years. As a research report in the wake of the Queensland and Victorian floods a decade ago showed, there was attention paid to the need to support women at these times. Ironically, given the amount of unpaid recovery work performed by women, women were relegated to the role of ‘victim’ in public discourse, with no attention given to the role played by women as actors in their own lives and communities, or as decision-makers at each stage of the flood and its aftermath.<sup>8</sup> This victim-focussed approach has led to important initiatives such as the federal funding for Gender and Disaster Australia to provide training to first responders about the increased risk of gendered and family violence arising from disaster.<sup>9</sup> However, there is little focus in federal disaster planning on the economic effects of disaster on women.

To address the needs of women engaging in both paid and unpaid work during disasters, ERA recommends:

- Increased research and analysis about how adverse weather events affects women’s work, both paid and unpaid, and what support services are / planning is required to address those effects, both immediate practical and longer term;
- Including in all disaster recovery plans provision for the reopening / rebuilding of critical support structures for women providing care, such as childcare centres, aged care facilities and respite centres;
- Funds for local government to anticipate and deliver effective pop-up emergency coordination
- That specific targeted, long-term support is given to minimise the detrimental effects of the additional unpaid and voluntary work taken up by women in direct relation to the effects of the fire and flood and their family recovery

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<sup>7</sup> Ibid

<sup>8</sup> JERA International and Economic Security4Women, *Women’s Voices from the Flood Plains*, July 2012.

<sup>9</sup> Media Release by Senator the Hon Anne Ruston *Training to support women experiencing violence in disasters* 1 January 2022 <https://formerministers.dss.gov.au/19489/training-to-support-women-experiencing-violence-in-disasters/>

### c. The adequacy of workplace laws in relation to work and care and proposals for reform;

#### **Enterprise bargaining and the gender wage gap**

The persistent gender wage gap and other structural economic barriers leave women with fewer resources available to purchase substitutes for unpaid care work. The wage gap also discourages the adoption of unpaid care work by men, as households are unlikely to challenge accepted values about care work if it also means the loss of a higher male wage. Childcare costs in Australia are very high by international standards,<sup>10</sup> making the loss of a higher male wage a significant consideration, particularly in households on low to medium wages. ERA has heard numerous reports of staff leaving work in childcare centres to care for their own children because they are unable to afford childcare fees on childcare wages. Such households are very unlikely to see a male earner reduce his income to share the care load.

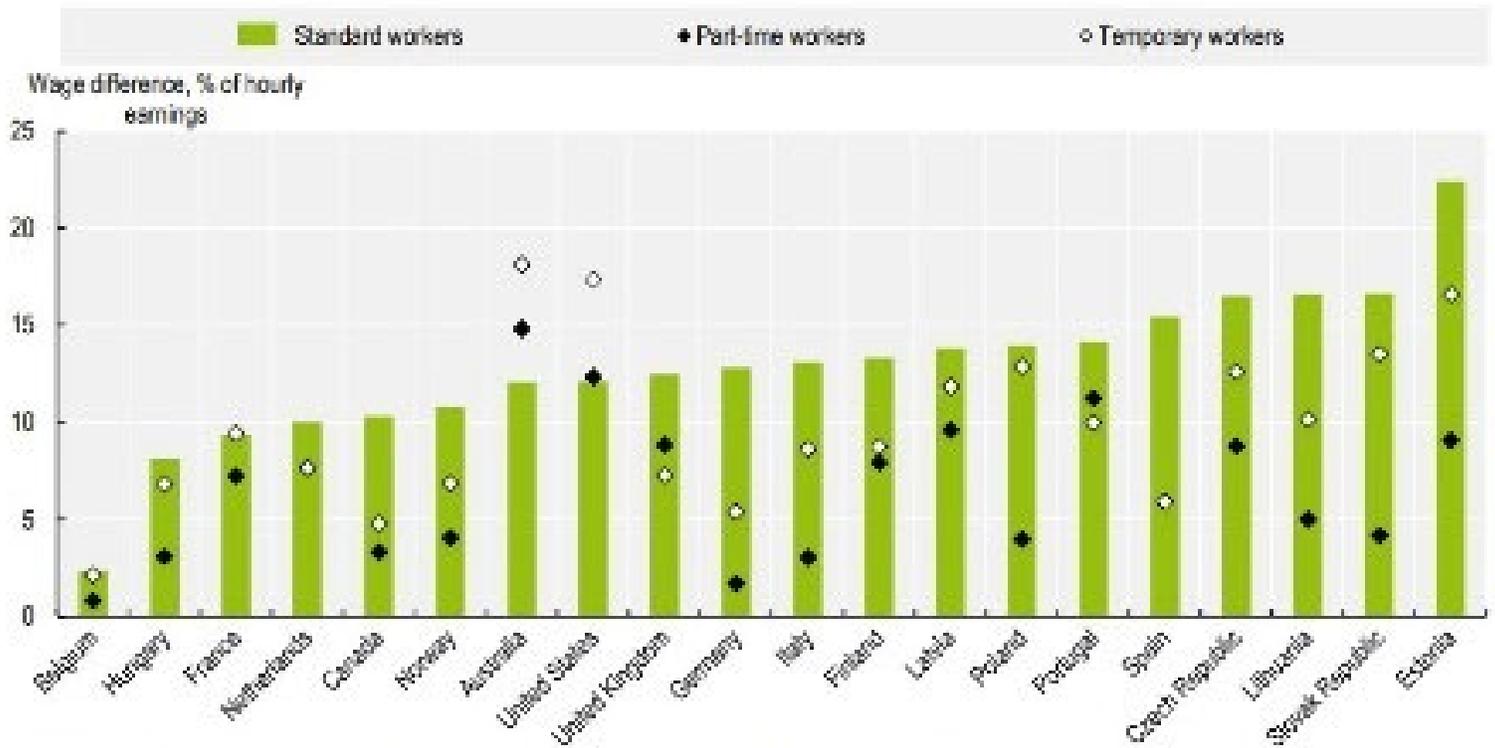
In Australia, those women who can't afford to (or don't wish to) outsource care work and those who have no reasonable access to appropriate local outsourcing options (such as affordable local childcare or culturally appropriate aged care) often use part time and casual work as a means of freeing time for unpaid care work. This is of significant concern, because the Australian wage gap for part time workers is higher than the wage gaps for full time workers; anomalously high when compared with other OECD countries<sup>11</sup>:

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<sup>10</sup> OECD (2022), "Net childcare costs" (indicator), <https://doi.org/10.1787/e328a9ee-en> (accessed on 13 September 2022).

<sup>11</sup> Figure 1. published in OECD *Can collective bargaining help close the gender wage gap for women in non-standard jobs?* Policy Brief on Collective Bargaining and Gender July 2020 <https://www.oecd.org/gender/collective-bargaining-and-gender-wage-gap-2020.pdf>. Source: OECD calculations based on the Household Income Labour Dynamics in Australia (HILDA), the Labour Force Survey (LFS) for Canada, the Structure of Earnings Survey (SES) for European Countries and the Current Population Survey(CPS), May Supplement for the United States

Figure 1. Gender wage gaps (“unexplained part”) by type of contract in OECD countries



This increased wage gap, combined with the fact that regular workforce engagement is critical to Australia’s superannuation system, means that the need to work part time to provide time for care work locks women into a vicious cycle of poverty across the life cycle.

Addressing the gendered wage gap is one approach to addressing this poverty trap. The OECD sees collective bargaining as a potential tool for addressing gendered wage gaps, provided the bargaining process incorporates four key areas:

- “1. targeted raises compensating for the concentration of women in low-paid industries; 2. gender-neutral occupational classification schemes to correct the undervaluation of female-dominated occupations; 3. measures promoting pay transparency, against wage discrimination*

*(including in discretionary pay); 4. gender-neutral evaluation criteria for career progress.”<sup>12</sup>*

Unfortunately, these approaches to collective bargaining have not been adopted in Australia. Indeed, enterprise bargaining in Australia has failed women in three ways. Firstly, it has failed to provide equal wages for women or to disrupt the gender segregation of industry in Australia. Secondly, it has failed to promote conditions which support the performance of unpaid care work by employees and thirdly it has failed to support the adoption of unpaid work by male employees.

WGEA has identified the absence of women from bargaining processes as a possible reason for enterprise bargaining contributing to the wage gap and poor conditions, leading to:

- trade-offs in working conditions which impact differently on men and women, with paid parental leave or flexible working conditions considered ‘too hard’ to negotiate or traded for other entitlements,
- agreements providing wage ranges for identical roles which allow for unconscious bias to affect wage decisions,
- bargains failing to account for women’s unpaid care work when establishing systems for determining who can receive overtime, allowances and other benefits, and
- the inclusion of performance-based pay, which provides space for unconscious bias in decision making.<sup>13</sup>

Consequently, ERA congratulates the Federal Government on its commitment to include gender pay equity and job security in the objects of the *Fair Work Act 2009* and to legislate a statutory equal remuneration principle under the *Fair*

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<sup>12</sup> OECD *Can collective bargaining help close the gender wage gap for women in non-standard jobs?* Policy Brief on Collective Bargaining and Gender July 2020 <https://www.oecd.org/gender/collective-bargaining-and-gender-wage-gap-2020.pdf>

<sup>13</sup> WGEA *Gender pay equity in awards and enterprise agreements* 2017 <https://www.wgea.gov.au/tools/pay-equity-in-awards-and-enterprise-agreements>

*Work Act.* ERA strongly urges the Government to empower to Commission to promote the four approaches to collective bargaining outlined above.

ERA also submits that this initiative must be supported by the restoration of the Fair Work Commission's Pay Equity Unit with a continuing research mission to assist with equal remuneration and care sector cases. The Pay Equity Unit should also be given a remit to conduct research into award and agreement conditions, to determine the extent to which those instruments support workers to perform unpaid care work and support the participation of male workers in unpaid care work.

#### **d. the adequacy of current work and care supports, systems, legislation and other relevant policies across Australian workplaces and society**

##### **Paid Parental Leave Act 2010**

###### ***Add the Superannuation Guarantee to the PPL scheme***

As noted above, regular workforce engagement is critical to Australia's superannuation system, which means that taking paid parental leave (PPL) top care for children contributes an intractable cycle of poverty across the life cycle. The Productivity Commission's 2009 report into PPL recommended the eventual inclusion of superannuation into PPL and the 2013 Australian Human Rights Commission Report *Investing in Care* found that the time had come to extend the superannuation guarantee to PPL.<sup>14</sup>

It is important to note that PPL, the only type of workplace leave which is directed predominantly at women, is also the only type of workplace leave that does not include superannuation guarantee payments. By permitting this discrimination, the Government PPL scheme inadvertently reinforces the unconscious devaluing of women's work and contributed to a sense that women's retirement incomes are unimportant.

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<sup>14</sup> Australian Human Rights Commission, *Investing in Care: Recognising and valuing those who care Volume 1- Research Report*, Sydney, 2013, 15.

ERA recommends that superannuation guarantee is added to the government statutory PPL scheme to support the retirement incomes of women using the scheme and to create a new baseline for employer-based schemes.

### ***Increase the total period of PPL available under the scheme***

An analysis of PPL by Lyndall Strazdins and Belinda Townsend shows Australia lags well behind other OECD countries on the length and amount of paid leave available for parents, with growing class and gender inequities. The length of available paid leave (both maternity and parental) in the OECD is, on average, 53 weeks for mothers and 8 weeks dedicated leave for fathers. This is generous when compared to Australia's federal PPL scheme, which provides only 18 weeks for the primary caregiver, and 2 weeks dedicated leave to fathers. Australia's public expenditure on PPL is also much less than in other OECD countries.<sup>15</sup>

The Productivity Commission's 2009 report on PPL noted that there is a considerable body of evidence to support the benefits of primary carer leave for the developmental health of the child. The report noted that longer periods of parental leave are associated with improved infant health outcomes and lower rates of infant mortality and commented on the importance of primary carers for early brain development. Quoting the OECD, the Productivity Commission noted that:

*“Taking stock of the evidence, it seems that child development is negatively affected when an infant does not receive full-time personal care (breastfeeding issues aside...) for at least the first 6 to 12 months of his/her life.”<sup>16</sup>*

Further, for women and parents who wish to breastfeed, the World Health Organization's guidelines recommend 26 weeks of leave for optimal infant breastmilk feeding.<sup>17</sup> There is therefore considerable evidence to support the extension of paid parental leave to 26 weeks. While some parents receive 26 weeks of leave through a combination of Commonwealth and workplace-

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<sup>15</sup> Strazdins and Townsend, [Australia falls behind OECD on paid parental leave](#), 2019.

<sup>16</sup> OECD, 2007: 110-111, as quoted in Productivity Commission Inquiry Report *Paid Parental Leave: Support for Parents with Newborn Children* no. 47 2009 <https://www.pc.gov.au/inquiries/completed/parental-support/report/parental-support.pdf>

<sup>17</sup> World Health Organization (WHO), (2011) *Exclusive breastfeeding for six months best for babies everywhere*, NP: WHO, available from: [https://www.who.int/mediacentre/news/statements/2011/breastfeeding\\_20110115/en/](https://www.who.int/mediacentre/news/statements/2011/breastfeeding_20110115/en/), accessed 27 February 2020.

support entitlements, this is not the case across all workplaces. 26 weeks of leave should therefore be provided under the Commonwealth scheme to ensure equality of access.

ERA recommends that the *Paid Parental Leave Act 2010* should be amended to change the total period of leave available to 26 weeks.

### ***PPL should be redesigned to encourage redistribution of care work***

According to data from HILDA, unpaid work distribution in heterosexual couples is shared relatively equally, prior to having a first child.<sup>18</sup> Following the birth of a first child, the prime load of unpaid care shifts to the female partner. PPL is therefore a critical opportunity to redistribute unpaid caring responsibilities across genders and establish a more equal distribution of unpaid care within the family unit.

From its inception, the federal PPL Act was designed to encourage women to continue to participate in the workforce and promote equality between men and women, and the balance between work and family life.<sup>19</sup>

Despite this, PPL is predominantly used in a way that sharply reinforces women's primary carer role. According to Ramona Vijayarasa, the PPL scheme "*fundamentally fail[s] to challenge unequal distributions of labour in the family*", by naming mothers as primary carers.<sup>20</sup> The current model operates on an assumption that men will be the primary breadwinner and women the primary caregiver.<sup>21</sup> Too few men have utilised their entitlements, with take up highly dependent on a supportive workplace culture.<sup>22</sup>

Women account for 88% of all primary carer's leave utilised and men account for 12%, which is a low number by global standards.<sup>23</sup> When co-parents do take Dad and Partner Pay leave, they take on average just 2-3 weeks. Current settings also disadvantage same sex couples and single parents.

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<sup>18</sup> Workplace Gender Equality Agency (WGEA), *Towards gender balanced parental leave – Australian and international trends Insight Paper*, Sydney: Australian Government, 2017.

<sup>19</sup> See *Paid Parental Leave Bill 2010* (Cth) subsections 3A(1) (c) and (d)

<sup>20</sup> [Gender Law Index - Law Detail](#). Vijayarasa says there is also not enough access to information about carers' rights, which may be a barrier for marginalised women in understanding their entitlements.

<sup>21</sup> The primary and secondary caregiver distinction embedded in the policy makes the equal sharing of leave and care responsibilities so difficult that women currently take 99.4% of primary carer leave. Lucie Newsome, [Parental Leave scheme marred by 1950s sentimentality - BroadAgenda](#), 19 February 2020.

<sup>22</sup> Workplace Gender Equality Agency, [Towards gender balanced parental leave](#), October 2017.

<sup>23</sup> [Parental leave | WGEA](#), using 2020-21 data. The fathers' quota in Iceland: Impact on work and care

Because the PPL scheme is used overwhelmingly by mothers, men and non-birth parents are not being given the opportunity to learn the parenting skills necessary to share effectively in child raising activities. In Iceland, the introduction of specific periods for each parent (on a 'use it or lose it' basis) has led to a substantial increase of fathers taking parental leave.<sup>24</sup> Generous paid parental leave schemes, along with early childhood education and care (ECEC), contribute to the development of the dual earner/dual carer model in the Nordic countries.

Enhancements are needed to make the PPL scheme gender-neutral, longer, and more generous. The priority for the PPL scheme should be on supporting and enabling diverse families to care for children and each other, while creating the conditions for a more equitable distribution of caring work across the genders. Analysis by DXP Consulting shows the benefits will outweigh the costs.

<sup>25</sup>

ERA supports the recommendation of the Grattan Institute<sup>26</sup> that the leave available under the *Paid Parental Leave Act 2010* should be structured to provide 7 weeks leave for each parent with an additional 12 weeks which can be shared between the parents at their discretion. It should also provide access to the entire 26 weeks of leave for sole parents.

### **Using the social security system to support women in unpaid care work**

The inequitable gender distribution of unpaid work combined with the failure of our economic systems to revalue the unpaid work done by women comes at a significant cost to women's economic security. The social security system plays a critical role in ensuring that women with unpaid caring responsibilities are at least provided with a basic safety net to protect them from poverty and economic insecurity. Women are the majority of income support recipients and tend to require income support payments for longer periods. Decreases in the real value of Jobseeker and other payments, changes to the Single Parenting Payment, and the increasing complexity of our social security system have conspired to undermine this safety net for unpaid carers. The current rules

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<sup>24</sup> The Australia Institute and Nordic Policy Centre, [The fathers' quota in Iceland: Impact on work and care](#), 2019.

<sup>25</sup> Mary Clarke, DXP Consulting. *Enhancing Paid Parental Leave: Why it's Not Just Good for Mums*, July 2022.

<sup>26</sup> Wood, D., Emslie, O., and Griffiths, K. (2021). Dad days: how more gender-equal parental leave would improve the lives of Australian families. Grattan Institute.

regarding income tapering for people receiving social security payments disproportionately disadvantage young parents / carers<sup>27</sup>

ERA acknowledges the Government's announcement following the Jobs and Skills Summit of a government-funded consultation and research project on the concept of a 'living wage' or decent wage (with expectations of a report due in late 2023).<sup>28</sup> This research should happen in parallel with research work on a 'participation payment', a more generous and less conditional 'basic income'.

ERA recommends that the Government investigate ways of streamlining and improving the adequacy and functioning of the income support system, including replacing the current system of pensions and payments with a single 'basic income' payment, with supplements available to groups with identified needs, such as people with disability and people with children.<sup>29</sup>

ERA also recommends that:

- all social security payments are increased to at least \$70 per day and are subsequently monitored by an independent commission with the power to set income support rates to ensure that the payments are operating to alleviate poverty and recognise unpaid care; and
- access to the Parenting Payment Single is restored to sole parents who have a dependent child of up to and including 16 years old.

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<sup>27</sup> Under the current rules, single pensioners can earn up to \$480 a fortnight without reducing their pension payment. Pensioners who earn more than that are placed on a part-pension and have their payments docked .50c for every dollar earned above \$480. But single carers on Jobseeker with at least one child under 16 can earn up to \$150 per fortnight, at which point their payment is reduced by .40c for every dollar over \$150. This discrepancy will increase once the temporary upfront \$4,000 income bank credit is applied for Age Pensioners.

<sup>28</sup> [Jobs and Skills Summit September 2022 – Outcomes \(treasury.gov.au\)](https://www.treasury.gov.au/consultations/2022/09/jobs-and-skills-summit-september-2022-outcomes)

<sup>29</sup> As recommended by academics Professor John Quiggin, Elise Klein and Troy Henderson [Meet the Liveable Income Guarantee: a budget-ready proposal that would prevent unemployment benefits falling off a cliff \(theconversation.com\)](https://theconversation.com/meet-the-liveable-income-guarantee-a-budget-ready-proposal-that-would-prevent-unemployment-benefits-falling-off-a-cliff); [https://taxpolicy.crawford.anu.edu.au/sites/default/files/uploads/taxstudies\\_crawford\\_anu.edu.au/2020-09/complete\\_liveable\\_income\\_sep\\_2020\\_0.pdf](https://taxpolicy.crawford.anu.edu.au/sites/default/files/uploads/taxstudies_crawford_anu.edu.au/2020-09/complete_liveable_income_sep_2020_0.pdf)

The Grattan Institute has identified that for every dollar of cash payments made to low-income households, through payments such as the Coronavirus Supplement, GDP is boosted between 60c and one dollar.<sup>30</sup>

#### f. The impact and lessons arising from the COVID-19 crisis for Australia's system of work and care.

The pandemic threw into sharp relief our failure to value unpaid work done by women. During the pandemic, women were required to increase their caring work at home, despite already doing significantly more care work than men.<sup>31</sup>

Globally, the OECD has noted that the massive loss of paid employment hours by women during the pandemic was driven by a loss of paid hours by women with children who are school-age or younger.<sup>32</sup> Within Australia, the long-term effects of this loss of paid employment appear to have been mitigated by a strong return to work by women, significantly above the OECD average.<sup>33</sup>

It's worth noting that our pandemic experience of unpaid care came from a poor starting position. Australia's gendered division of unpaid care work compares badly with other OECD countries – women in Australia perform a much greater percentage of unpaid care work than the OECD average.<sup>34</sup> The release of the 2021 time use data by the ABS will be of critical importance in setting a new baseline for our understanding of the gendered distribution of unpaid care work in Australia.

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<sup>30</sup> Daley J, Wood D, Coates B, Duckett S, Sonnemann J, Terrill M, Wood T and Griffith K, 2020, *The Recovery Book: What Australian governments should do now* <https://grattan.edu.au/wpcontent/uploads/2020/06/Grattan-Institute-Recovery-Book.pdf>

<sup>31</sup> Australian Bureau of Statistics (May 2021) *Household Impacts of COVID-19 Survey* ABS Website, accessed 9 September 2022

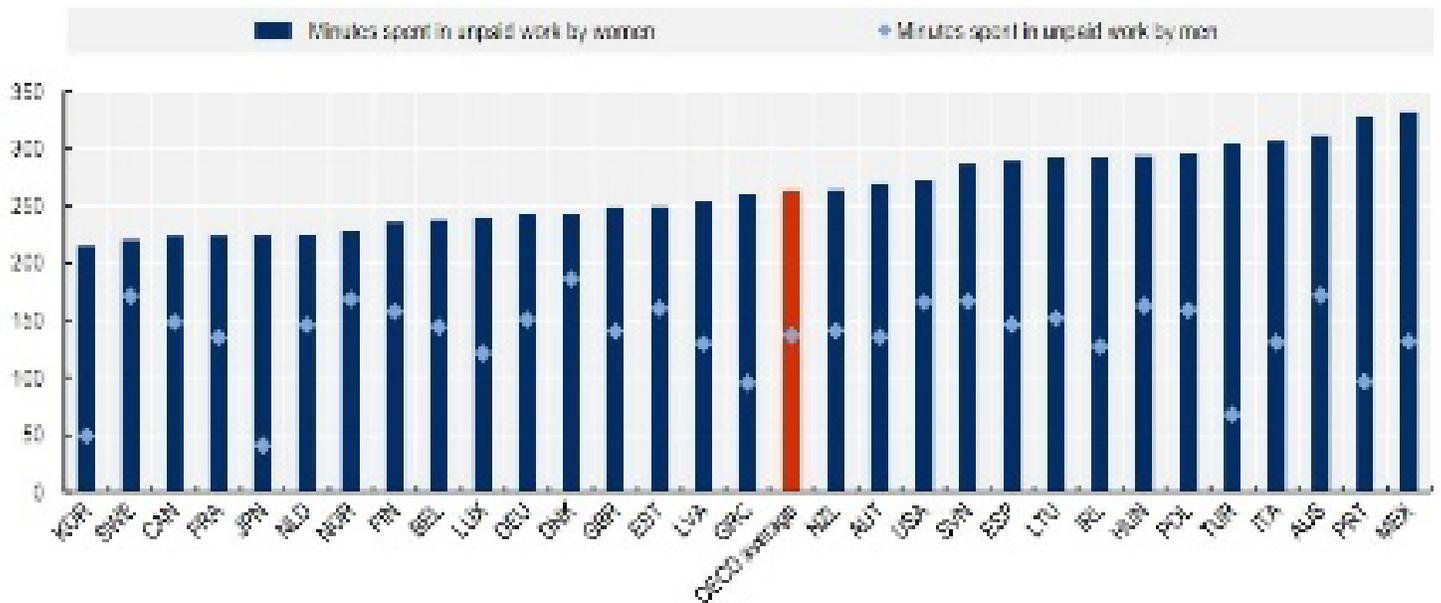
<sup>32</sup> OECD *Caregiving in crisis: Gender inequality in paid and unpaid work during COVID-19* 2021 pg. 2 [https://read.oecd-ilibrary.org/view/?ref=1122\\_1122019-pxf57r6v6k&title=Caregiving-in-crisis-Gender-inequality-in-paid-and-unpaid-work-during-COVID-19](https://read.oecd-ilibrary.org/view/?ref=1122_1122019-pxf57r6v6k&title=Caregiving-in-crisis-Gender-inequality-in-paid-and-unpaid-work-during-COVID-19)

<sup>33</sup> Ibid pg 10 However, it's worth noting that Australia's failure to collect official time use data since 2006 may be contributing to this poor assessment, as the OECD report compares Australia's most recent data to more recent data in several countries.

<sup>34</sup> Figure 5 - Ibid

## Figure 5. Women have historically spent almost twice as much time in unpaid work than men throughout the OECD

Estimates of daily time spent on unpaid work, such as routine housework, shopping, care for household members, childcare, adult care, care for non-household members, volunteering, travel related to household activities, and other unpaid activities, in minutes per day, by gender, most recent year



The effect of the pandemic on women’s paid and unpaid work is neatly summed up by Lyn Craig and Brendan Churchill in 2021:

*“For women, working at home was associated with less paid work and more domestic work and care, amounting to a higher workload overall. It also involved more multitasking, with many women blurring the boundaries between employment and family demands by performing paid work whilst supervising children at the same time. In contrast, men working at home did not do fewer paid work hours, more unpaid work or more multitasking than men working outside the home. They maintained more distinct boundaries between employment and domestic activities than home-working women did (Powell & Craig, **2015**). The implication is that women were motivated to work*

*from home to maximize their care time, but that this was not the case for men.*<sup>35</sup>

Despite this increased domestic workload, many women appear to have maintained their levels of unpaid work outside the home during the pandemic. According to Volunteering Australia, the proportion of men volunteering through an organisation or group decreased during 2020 by 7.6% to 23.1 %, whereas volunteering by women dropped by only 2.2% to 26.3%. Throughout the pandemic, women were more likely than men to volunteer formally on a weekly basis.

The Government's response to the pandemic primarily focussed on compensating for the loss of certain types of paid work, largely ignoring the effects of unpaid work. Even the emergency program of funding for childcare was designed around the ECEC sector's role as an employer and as an enabler of paid employment for women, rather than on the critical role played by childcare in relieving some of the care burden for women or on its importance in child development and support.

However, the pandemic also had the unusual effect of highlighting the critical importance to the Australian economy of several previously undervalued sectors. The traditionally accepted drivers of our economy (manufacturing and other industry, construction, mining and resources, finance, agriculture etc) were briefly joined in the public consciousness by ECEC, healthcare, aged care and education. As childcare centres required support to keep their doors open, schools sent pupils home to be schooled remotely, aged care centres struggled to contain infection rates and health services were battered by the surge in demand, we realised that our economy is reliant on these sectors in ways we had not previously acknowledged. Even so, economic stimulus measures provided by the Commonwealth focussed on those traditional economic drivers, particularly construction.

It is ERA's contention that it is no coincidence that these undervalued economic driving sectors are all women-dominated. We simply don't see or

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<sup>35</sup> Craig, Lyn and Churchill, Brendan *Dual-earner parent couples' work and care during COVID-19* Gender, Work & Organisation vol 28 Issue S1 January 2021 pp 66-79

value the work done in women-dominated industries as being as important as work done in male-dominated industries, and we don't value the care work done by women (paid or unpaid) as much as we value the paid work done by men.

This is an issue which applies internationally, as well as in Australia, and which is highlighted during weather-related disasters as well as to pandemics. The ILO's observation (discussed at pg. 8 above) that women in disaster affected areas "*recover more slowly than men from major economic losses, ... and often fail to receive equitable financial recovery assistance from the government and/or external donors*"<sup>36</sup> feels like a prescient assessment of the approach taken to Job Keeper by the Commonwealth Government in the pandemic. The exclusion of people in short term or casual jobs and higher education workers from Job Keeper disproportionately affected women and the majority of the recipients of the payment were men.<sup>37</sup>

Interestingly, one study has identified single mothers as one of the few population groups who reported experiencing greater satisfaction with the balance between their paid and unpaid work, possibly because of decreased commuting time and more flexible work hours, but also possibly due to the availability of greater childcare subsidies for essential workers. Prior to the pandemic, almost 80% of single mothers reported feeling rushed 'always' or 'often'. During May 2020, only 49% of single mothers were always or often rushed.<sup>38</sup> However, the same study also identified that single mothers were less likely to be working from home and were more likely to be working full time than partnered mothers during the pandemic.<sup>39</sup>

### ***Flexible work - the lockdown legacy***

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<sup>36</sup> Enarson, E., 2000. Gender and Natural Disasters, Working Paper 1, InFocus Programme on Crisis Response and Reconstruction, International Labour Organisation, Geneva.

[https://www.ilo.org/employment/Whatwedo/Publications/WCMS\\_116391/lang-en/index.htm](https://www.ilo.org/employment/Whatwedo/Publications/WCMS_116391/lang-en/index.htm)

<sup>37</sup> Wood, Danielle, Griffiths, Kate, and Crowley, Tom *Women's Work: The Impact of the COVID crisis on Australia Women* Grattan Institute 2021 p. <https://grattan.edu.au/wp-content/uploads/2021/03/Womens-work-Grattan-Institute-report.pdf>

<sup>38</sup> Craig L, Churchill B. *Unpaid Work and Care During COVID-19: Subjective Experiences of Same-Sex Couples and Single Mothers in Australia*. *Gender & Society*. 2021;35(2):233-243. doi:10.1177/08912432211001303

<sup>39</sup> *ibid*

The pandemic saw the rapid implementation of a range of experimental and adaptive modes of work, particularly involving work from home and altered working hours. Despite predictions to the contrary, for many workers this increased flexibility has persisted beyond lockdown. Workplace expectations have shifted in favour of employees with desk-based work who have the confidence to negotiate hybrid models of off and on-site work (although we note that setting boundaries around this more fluid and hybrid work may not be as easy).

However, highly feminised and gendered occupations, including front-line 'care economy' jobs, have not enjoyed the flexibility afforded to workers in desk-based jobs. Nonetheless, notions of productivity are being rethought, with a growing recognition that facetime may not be essential to productivity. The pandemic helped bust the myth that 'If you are not present you are not working'. That bias has previously hurt part time workers whose caring responsibilities have taken them out of the full-time workplace, because 'being seen' and continuous service have been regarded as critical to workplace promotion.

Research by the Workplace Gender and Equality Agency (WGEA) shows there's *no* evidence that moving to part time work decreases productivity. In fact, women - who are more likely to work part-time - are likely to work more efficiently as part time employees. The pandemic proved to employers that greater flexibility did not have to lead to a drop in productivity and was not too complex to administer.

Women performing unpaid care work require greater flexibility in workplaces. They are more likely than men to perform significant amounts of unpaid work each week and, crucially, are more likely to perform work which needs to happen daily. Where men perform unpaid work, it is more likely to be occasional or sporadic and is more likely to be easily scheduled to fit outside working hours.

And yet, joint research by the Business Council of Australia, McKinsey & Company and the Workplace Gender Equality Agency has found less than 10% of Australian companies offer employees who work part time management and

leadership roles. When companies do offer part time work, they are more likely to retain staff.<sup>40</sup>

Under-representation of women at senior levels of professions continues to be a stubborn problem. Women comprise only 19.4% of CEOs, 32.5% of key management positions, 33% of board members and 18% of board chairs.<sup>41</sup> Women's perspectives and contributions continue to be overlooked and greater value is accorded to male-identified skills and tasks. There remains an under-representation of women with disabilities, Indigenous and immigrant women in leadership and decision-making roles, preventing the diverse interests and experiences of women from being adequately represented and reflected in governance structures. Narrow notions of leadership pervade and several spheres in which women are active and exemplary leaders remain undervalued and under-funded.

The traditional split between full-time and part-time employment is outdated and contributes to a lack of women in leadership roles, especially CEO and key management roles.

ERA welcomes outcomes from the Jobs and Skills Summit related to this, from plans to update the Fair Work Act to provide stronger access to flexible working arrangements and a broader review of the impact of workplace relations settings such as rostering arrangements on work and care.<sup>42</sup> However, we recommend the Federal Government prioritise the implementation of those recommendations to this inquiry which seek to redistribute unpaid care work more equitably between the genders, in order to ensure that working flexibly or for reduced hours ceases to attract the penalties currently faced by women.

Flexible working arrangements need to be available and taken up by men and women, carers and non-carers, managers and non-managers to break the perception that working flexibly is a sign that employees are freeloading or less productive than their full-time peers.

### ***Early Childhood Education and Care***

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<sup>40</sup> [Women in Leadership: Lessons from Australian companies leading the way](#), 2017

<sup>41</sup> [Women in leadership | WGEA](#) (using 2020-21 data sets)

<sup>42</sup> [Jobs and Skills Summit September 2022 – Outcomes \(treasury.gov.au\)](#)

Another lesson learned during the COVID-19 pandemic was the critical role played by childcare in keeping our economy functional. The scale of the Government's intervention to support the ECEC sector during the pandemic was a clear indication that ECEC was belatedly being viewed as a critical service. However, support for the sector, particularly for the extremely low paid, highly feminised workforce has been conspicuously absent in recent months.

Early learning and childcare are critical pathways into work and good for children. Accessible and affordable quality childcare services must be provided to facilitate women's greater participation in work and public life (complimented by enhanced parental leave provisions).

A recent Productivity Commission report showed that more than 90,000 Australian parents stayed out of the workforce because the cost of early childhood education and care (ECEC) was too high.<sup>43</sup> The ACTU reports that over 130,000 people have wanted work but have been unable to take paid employment because they had caring responsibilities and couldn't get support for care for children or others.<sup>44</sup>

Women who find themselves unemployed need to access quality childcare as much as those who are in work. Under mutual obligation rules, many single mothers who are participating in the ParentsNext and Workforce Australia programs, have to put their children into paid childcare while they attend meetings, study or take on paid work. However, most cannot afford that option. While ERA would rather the social security net was more adequate and programs like ParentsNext less punitive, the example underscores the power and purpose of accessible and free universal childcare.

The continued imposition of the activity test undermines the Albanese Government's broader reform objectives of lifting access for children and workforce participation of parents.<sup>45</sup> While ERA supports the Government's commitment to increase the Commonwealth Child Care Subsidy, we recommend the scrapping of the activity test to make the benefits of ECEC available to all children and to ensure ECEC functions to reduce the burden of unpaid care work

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<sup>43</sup> [Early childhood education and care - Report on Government Services 2021 - Productivity Commission \(pc.gov.au\)](https://www.pc.gov.au/reports/indicators/early-childhood-education-and-care)

<sup>44</sup> Caregiving in a crisis: Gender Inequality in paid and unpaid work during COVID-19. Caregiving in Crisis: Gender inequality in paid and unpaid work during COVID-19 (oecd.org)

<sup>45</sup> Impact Economics and Policy, *Child Care Subsidy Activity Test: Undermining Child Development and Parental Participation*, August 2022.

on women. We note that making childcare free has the potential to significantly boost productivity and gross domestic product (GDP).<sup>46</sup>

The Government has publicly recognised that its proposed ECEC affordability reforms will require addressing a shortage of qualified teachers and early childhood educators. Improving wages and conditions will make this feminised sector more attractive to potential employees of all genders and will address the undervaluing of this difficult and demanding area of work.

Early Childhood Education is of considerable concern to women, both those working and those not currently in the workforce, and availability of quality accessible care can make the difference between women being able to access employment or not. Every dollar that is spent on preschool will return \$2 and avoids many times that spent on remedial costs down the track.<sup>47</sup>

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<sup>46</sup> KPMG, [The child care subsidy: Options for increasing support for caregivers](#), September 2020.

<sup>47</sup> PwC, [A Smart Investment for a Smarter Australia](#), The Front Project, June 2019.