

Progress on pay equity

New wage fixing principles in two states

After a frustrating wait, librarians and members of other female-dominated occupations are finally seeing some progress on pay equity.

ALIA and its members have taken a keen interest in the subject, especially since the New South Wales government's major Pay Equity Inquiry produced strong judicial confirmation of pay disadvantage experienced by librarians. ALIA was active in the Inquiry and worked with the Premier's department in development of the case in support of librarians. On the recommendation of presiding judge Glynn, the government decided that effective action to tackle the problem of a gender-based pay gap was dependant on changes to the whole basis for wage fixing. In particular, it was agreed that wage discrimination should not be dealt with through separate equal opportunity or anti-discrimination mechanisms. Rather, it was seen as vital to bring pay equity into the industrial relations mainstream. The critical avenue for achieving this was the formal wage fixing principles of the Industrial Relations Commission.

Now, after a Full Bench hearing, the NSW Commission has formally adopted Australia's first Equal Remuneration Principle. For the first time, claims can now be made on a case-by-case basis for alteration to wage rates — and any other condition of employment — when the work, skill and responsibility required have been undervalued on a gender basis. The Commission has accepted that an unjustified gap in earnings exists between women and men and that a formal mechanism is necessary to close it.

For librarians in New South Wales the new Principle has real potential for improvement in conditions, not least because the fact of undervaluation of their work has already been expressly and formally found by Justice Glynn in her Pay Equity Case decision [matter number IRXC6320/97, 14 December 1998]. She found that 'the work of librarians is undervalued' due to, among other things, failure to conduct adequate review of their work value, historical factors which have impeded proper recognition of female qualifications and refusal to make proper comparisons with other professional occupations. The judge expressed particular concern that this had continued despite evidence that in recent years librarians 'have experienced a very substantial change in work value [which is] in the highest order of such cases'. She recommended that a full assessment to remedy the identified disadvantage should be conducted through the

new Equal Remuneration Principle as soon as it was adopted.

With formal creation of the Principle, unions are now free to submit pay cases to give effect to those findings. For state government librarians directly covered in the Inquiry, the Public Service Association has drafted a new award with significant improvements in salaries and classification structures. That will be the subject of one of the first cases under the new arrangements. It will also include library technicians. For employees in New South Wales who were not directly considered in the Inquiry, the way is clear for their unions to mount similar cases, using similar arguments to those accepted on behalf of state government employees.

Equally welcome to library workers is news that the Tasmanian government has quickly followed the New South Wales lead. In its recent review of the state's wage fixing principles, the Tasmanian Industrial Relations Commission has also created a Pay Equity Principle that will apply to workers covered by state awards. The decision followed a request from the Women in Paid Work Task Force that the state government make a submission to the Industrial Commission requesting a mechanism for addressing the gap between women's and men's wages. Currently, Tasmanian women's average full-time earnings are sixteen per cent less than men's.

As in New South Wales, the new Tasmanian Principle will provide a means for fresh consideration of the value of work and appropriate rates of pay for it. Industrial parties will be able to apply to have awards made or varied in order to foster pay equity. Applications will require an assessment of the value of work performed in particular industries or occupations, taking into account the nature of the work, the skill, responsibility and qualifications required for the work and the conditions under which it is performed. In assessing the value of work performed, the Commission will be able to consider whether the past valuation of the work has been affected by gender. For Tasmanian library workers, the huge volume of work done on their NSW counterparts' behalf in the Inquiry conducted by Justice Glynn, including her very supportive findings, will be a valuable resource for seeking similar decisions.

While it, of course, remains to be seen what precise outcomes eventuate in both states, improvements in the employment conditions of library workers are likely. But what is also needed now is similar action by the other state and federal jurisdictions to pick up the pay equity ball and run with it. ■



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