

Gender Equality Act (2020) Update

Local Government Preventing Violence Against
Women Network

Commission for Gender Equality in the Public Sector

16 September 2020



Premier
and Cabinet

Overview of the Gender Equality Act 2020

Approximately 300 entities, representing a broad range of industries, sectors and locations across Victoria, will be required to comply with the obligations under the Act.

96% of Victorian public sector employees, and **11% of the total Victorian workforce**, will fall within the scope of the Act. The Act will have capacity to effect **significant change** across the Victorian community.

Organisations across the following sectors...

Higher education



Police and emergency services



Water and land management



Public health



Local government



Transport, building and construction



...will be required to...

1

Develop and implement a Gender Equality Action Plan, which includes:
(a) results of a workplace gender audit; and
(b) strategies for achieving workplace gender equality

2

Publicly report on progress against workplace gender equality indicators (such as pay equity, flexible work, and workplace sexual harassment) and any set targets or quotas

3

Consider and promote gender equality across policies, programs and service delivery, including by undertaking Gender Impact Assessments

How will the Act address gender inequality?

The Act will address gender inequality by requiring organisations to address the drivers of workplace gender inequality and consider the gendered impacts of policies, programs and services.

1 *Gaps in workforce participation*

2 *Women's economic insecurity*

3 *Impacts on health and wellbeing*

The Act will address the drivers of gender inequality, which means....

- **Reduced discrimination** against women, including pregnant employees, parents and carers
- **Better access to parental leave** and flexible working arrangements for people of all genders
- **Increased support for men** to take on caring responsibilities
- **Challenging gender stereotypes** and cultural norms that reduce men's capacity to take on caring roles
- Better access to services that **support women's workforce participation** through consideration of gender impacts

= **Fewer barriers to workforce participation**

- **Reduced gender pay gap**
- **Reduced workplace segregation** and improvement in women's access to higher-paid industries and roles
- **More balanced recruitment and promotion practices** and free from bias
- **Addressing structural inequalities** increasing women's representation at management and leadership levels
- Better access to policies, programs and services that **support women's economic security** through consideration of gender impacts

= **Increased economic security**

- **Increased women's participation** in the workforce leads to greater economic security, and reduction in the negative health impact of poverty and stress
- **Reduction in workplace sexual harassment** and violence against women
- Better **access and uptake of flexible working arrangements**, return to work and **family violence leave**
- **A safer, more equal Victoria**
- Better access to policies, programs and services that **support women's health and wellbeing** through consideration of gender impacts

= **Safer and healthier outcomes for all Victorians**

The Act establishes an independent Public Sector Gender Equality Commissioner to undertake education, implementation support, monitoring, compliance, enforcement and dispute resolutions functions under the Act.

What is the role of the Commissioner?



The main functions of the Commissioner include:

- **Promoting and advancing** the objectives of the Act
- **Working with entities** to improve gender equality outcomes
- **Maintaining a public register** of Gender Equality Action Plans and reports
- **Undertaking compliance and enforcement measures** as necessary

Dispute resolution power



The Commissioner may also undertake dispute resolution relating to a 'systemic gender equality issue' that is referred in accordance with a term in a public sector enterprise agreement. This may include:

- making a recommendation; or
- conducting conciliation

this does not include the power to arbitrate or make a binding determination.

The 'systemic gender equality issue' must relate to one or more of the workplace gender equality indicators in the Act, and adversely affect a class or group of persons in a public sector workplace.

e.g. 'Entity A' has no flexible workplace policies. Four women employees of Entity A refer the dispute to the Commissioner in accordance with the term in their public sector enterprise agreement. The Commissioner conducts conciliation and Entity A commits to introduce flexible work policies within 3 months.

Implementation of the Act is underway in several key areas, including:

Establishing the Public Sector Gender Equality Commissioner

- Appointment and onboarding of the Public Sector Gender Equality Commissioner
- Setting up the office for the Public Sector Gender Equality Commissioner

Setting up important technical and administrative elements

- Developing the online reporting platform where organisations will submit their GEAPs and progress reports
- Putting some technical regulations in place
- Building a website for the Commissioner

Ensuring organisations are supported to comply with the Act

- Developing guidance materials to help organisations understand and meet the obligations
- Testing gender impact assessment and workplace gender audit processes
- Establishing a Panel of Providers to support entities

Engagement and education

We are prioritising education and support for defined entities, recognising that the obligations under the Act represent a substantial change for many organisations.

This will be achieved through...



Engaging key stakeholders to provide advice on the development of guidance materials. This includes early testing of toolkits with select defined entities.



Providing education and support to defined entities in the lead up to obligations commencing in March 2021 and prior to first GEAPs and workplace gender audits.



Regular communication with stakeholders on implementation, including **emails, targeted consultation, information sessions** and **workshops** where appropriate.



Establishing the **Panel of Providers**, and developing and publishing **guidance materials** on the Commission's website



Developing a **user-friendly and human-centred reporting platform** for defined entities to submit their GEAPs and progress reports on the Commission's website.

Thank you and Questions

Any further queries can be directed to
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