



# Progress Report

1 June 2020 to 31 December 2022



**ISSN:** 2208-0430

**Online ISSN:** 2651-9933

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28 February 2023

Senator the Hon Katy Gallagher  
Minister for Women  
Parliament House  
Canberra ACT 2600

Dear Minister,

I have pleasure in presenting to you this progress report of the Workplace Gender Equality Agency (WGEA, the Agency).

This report has been prepared in accordance with subsection 12(2A) of the *Workplace Gender Equality Act 2012* (the Act), which requires the Agency to submit to you, the Minister, a report on the progress achieved in relation to the gender equality indicators in the relevant two-year period.

In accordance with the Act, the report must be submitted as soon as practicable after the end of the two-year period ending on 31 May 2016 and each later two-year period. The Agency's third progress report under the Act (2017-18 progress report) was submitted to Senator the Hon Marise Payne, as the Minister for Women, on 12 March 2021.

Approval was granted by you to provide this report by the end of February 2023. The report covers the period 1 June 2020 to 31 December 2022.

Regards,

A handwritten signature in black ink that reads "Mary Wooldridge".

**Mary Wooldridge**  
Director

# Foreword from the Director

Australia has the most comprehensive gender equality data set and collection approach in the world. Australian employers have shown they are committed to reporting on gender equality measures, with our latest Employer Census (2021-2022) including information from 4,795 reporting organisations, covering almost 4.5 million employees.

Since reporting commenced in 2013-14 there has been steady progress on all gender equality indicators, but in the past two years progress has slowed and, for the first time, the gender pay gap has remained stagnant at 22.8%.

The past two years have been a time of reflection on what has worked, and strategic thinking about what needs to change to accelerate the rate of improvement. The Review of the *Workplace Gender Equality Act 2012* and the 10 recommendations have laid the foundation for the next chapter of the Workplace Gender Equality Agency's contribution to achieving that acceleration.

To enact many of the recommendations, the Workplace Gender Equality Amendment (Closing the Gender Pay Gap) Bill 2023 and accompanying remade Instruments are currently before the Parliament. They enable WGEA to publish employer gender pay gaps, collect more detailed information relating to sexual harassment and discrimination and employee data on age and location as well as CEO remuneration. It will also set new standards for larger companies to have policies or strategies on the full range of gender equality indicators and requires employers to present the WGEA summary and benchmarking reports to their Boards.

We have also implemented a new gender equality reporting platform. The platform enables improved analysis resulting in deeper insights of the data for employers. The reporting platform was launched for 2020-21 reporting. The initial rollout of the platform was challenging, and employers persisted in reporting to WGEA with patience. An ongoing program of enhancements has resulted in an improved reporting experience for employers in 2021-22 and the Agency's largest dataset.

We have also reflected on and articulated our role as both a regulator and driver of change. This is in order to convey the action-oriented approach needed to accelerate gender equality outcomes and to cement our relationship with employers to support them to take action. The establishment of a Capacity Building Team within the Agency recognises we need to provide a deeper and more direct level of support and advice to employers than we

have been able to previously, as well as a range of tools and resources. The review of the Employer of Choice for Gender Equality citation also creates an opportunity for more employers to implement leading practices and strive for recognition of that achievement.

The Agency's reporting reach has expanded with voluntary reporting by the Commonwealth public sector, and mandatory reporting commencing this year. This will provide a more comprehensive picture of the Australian workforce and provide for additional analysis and understanding of progress against workplace gender equality outcomes. WGEA is also continuing to engage state and territory governments on their December 2021 in-principle National Cabinet commitment to report to WGEA.

All of these changes place us on a solid footing for the implementation of the recommendations of the Review of the Act. We are excited to work with employers to help them address their gender pay gaps and the factors contributing to them, strengthen accountability and broaden the scope of gender equality reporting.

We are at a turning point in our work – and in the state of workplace gender equality in Australia. This will likely be our last progress report before the amendments to our legislation are passed. This report demonstrates both why these reforms are relevant and important, and the promise they offer for improved workplace gender equality in Australia.



**Mary Wooldridge**  
Director

# Purpose of the report

This report has been prepared in accordance with subsection 12(2A) of the Workplace Gender Equality Act 2012 (the Act), which requires the Workplace Gender Equality Agency (WGEA, the Agency) to submit to the Minister a report on the progress achieved in relation to the gender equality indicators in the relevant two-year period.

This report is the fourth progress report submitted by the Agency under the Act. The Agency's previous progress report under the Act (2019–20 Progress Report) was submitted to Senator the Hon Marise Payne, Minister for Women, on 12 March 2021.

This report covers comprehensive workplace data collected from reporting organisations over the last two reporting periods since the 2019–20 Progress Report, that is 2020–21 and 2021–22.

The 2020–2021 and 2021–2022 datasets captured employer progress on workplace gender equality during and since the onset of the COVID-19 pandemic. These were extraordinary years for Australian employers.

Therefore, to capture the state of workplace gender equality in Australia prior to the COVID-19 pandemic, the report presents both 2019–20 data and 2013–2014 data, when reporting to WGEA first began, to measure overall progress.

While progress towards many gender equality indicators has slowed over the last two reporting periods, employers have made progress against most since reporting began to WGEA in 2013–14.

Through the inclusion of data from all reporting periods, this report aims to summarise and celebrate the state of gender equality in Australia's private sector. This is important to capture given that the Australian Government has recently undertaken a Review of the Workplace Gender Equality Act, with legislative amendments underway that will expand and change WGEA's dataset and remit going forward.

The Agency is also required to submit to the Minister an annual report on its operations for the year ending 31 May pursuant to subsection 12(1) of the Act. For information on the Agency and its operations, please refer to the Agency's 2021–22 Annual Report.

Under the Act, relevant employers are required to report to the Agency annually. Relevant employers are non-public sector employers with 100 or more employees.

Any reference to 'employers' in this report means a relevant employer under the Act for reporting purposes (unless otherwise stated). Therefore, the terms 'employer' and 'relevant employer' are used interchangeably (unless otherwise stated). Any reference to 'organisations' or 'reporting organisations' in this report also means relevant employers that submit reports to the Agency, sometimes on behalf of other entities within their corporate structures.

# Executive summary

The Agency collects the most comprehensive dataset of workplace gender equality in the world. With now nine years of reporting data, there is a clear picture of where employers have made progress and where additional momentum is required in order to drive further change.

This dataset – and the insights it provides – is valuable to employers, researchers and policy makers. It allows employers to compare themselves across industries and other peers to understand how they are performing and where there is opportunity for improvement. The Agency's additional engagement and research with employers captures case studies, insights and examples of leading practice.

This Progress Report covers the Agency's dataset over the last two reporting periods, that is 2020-21 and 2021-22. These were, of course, exceptional years for employers given the onset and continuing impacts of the COVID-19 pandemic on workplaces.

The data shows how many employers adapted to the pandemic, with flexible working arrangements rising considerably over the last two reporting periods. The number of employers offering work from home, for example, increased by 21.9 percentage points in 2020-2021 and a further 4.6 percentage points in 2021-2022.

There were, of course, other follow-on effects from the pandemic and its effects on the economy and the workforce.

However, the dataset does not show significant shifts in workplace gender equality in the years following the onset of the COVID-19 pandemic. Women remained at approximately 51 per cent of the workforce, and the number of women working full-time remained at around 21 per cent.

However, this report highlights that while many employers recognise the place of gender equality in the workplace they are not necessarily prioritising it through action. The reporting data from the last two years shows that progress has slowed, including on the gender composition of the workforce, women's representation on governing bodies, the proportion of employers setting targets to increase Board representation, the proportion of employers conducting a gender pay gap analysis and taking action on that analysis, and the proportion of employers consulting employees on issues of gender equality.

This has resulted in a gender pay gap that has remained unchanged in the last two reporting periods, standing at 22.8% in both 2020-21 and 2021-22.

This indicates that Australia requires a renewed emphasis on workplace gender equality. Over the period of this report, several key priorities have been actioned to enable WGEA to contribute to accelerating the rate of change for workplace gender equality. These are:

- **WGEA's strategy** – WGEA has updated its mission to articulate that it is a driver of change, and will use data backed insights, practical enabling support, tools and research and accessible pathways to leading practice to motivate employers to progress gender equality in their workplaces.
- **Review of the Act** – New reforms will increase employer accountability and transparency on workplace gender equality. Recommendations from the Australian Government's Review of the Act are being implemented with the view to enhance WGEA's data analysis and support and drive employer action on workplace gender equality. This includes publishing employer gender pay gaps, requiring relevant employers to provide certain WGEA insight and benchmarking reports to their governing body, requiring larger employers to set and make progress on targets for gender equality and enhancing data collected as part of the WGEA's data set.
- **Respect@Work** – Employer reporting on sex-based harassment and discrimination (GEI6) will expand to enhance understanding on sex-based harassment and discrimination prevalence, prevention and response in Australian workplaces. Recommendation 42 from the Respect@Work Report charged the Agency to work with the Respect@Work Council to consider how good practice indicators for measuring and monitoring sexual harassment prevalence, prevention and response may apply to employer reporting under the Act. WGEA will begin to include these indicators in the next reporting period (2022-23).
- **Public sector reporting to WGEA** – Both the Agency and the Respect@Work Report recommended amending the Act to require public sector organisations to report to the Agency on gender equality indicators on a mandatory basis. *The Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Bill 2022* was passed in November 2022, which means mandatory reporting for the Commonwealth Public Sector will commence in 2023. WGEA is also engaging State and Territory governments to report on a voluntary basis following the in-principle agreement at National Cabinet in December 2021 to share public sector workforce data with WGEA.

This is likely to be the last progress report prior to the implementation of many of these reforms. Therefore, this report makes reference to nine years of reporting data for most indicators to show progress pre-dating these reforms as well as overall progress since reporting to WGEA first began.

These reforms will help cement Australia's leadership on workplace gender equality. The implementation of these reforms will build on and expand the utility of WGEA's dataset by increasing employer accountability, providing deeper insights, and identifying actions necessary to make progress on workplace gender equality.



# About the Agency

## Purpose

The Workplace Gender Equality Agency is an Australian Government statutory agency charged with promoting and improving gender equality in Australian workplaces. This includes through the provision of advice and assistance to employers and the assessment and measurement of workplace gender data. It was established by the *Workplace Gender Equality Act 2012* (Cth). In 2022, the *Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Bill 2022* was passed, extending the definition of 'relevant employer' in the Act to include the federal public sector. Mandatory reporting by the federal public sector to WGEA will begin in 2023, and therefore, is outside the scope of this report.

## Role and functions

The *Workplace Gender Equality Act 2012* outlines the Agency's role and functions as follows:

- advise and assist employers in promoting and improving gender equality in the workplace
- develop, in consultation with relevant employers and employee organisations, benchmarks in relation to gender equality indicators
- issue guidelines to assist relevant employers to achieve the purposes of this Act
- review compliance with this Act by relevant employers, to review public reports lodged by relevant employers and to deal with those reports in accordance with this Act
- collect and analyse information provided by relevant employers under this Act to assist the Agency to advise the Minister in relation to legislative instruments made under this Act
- undertake research, educational programs and other programs for the purpose of promoting and improving gender equality in the workplace
- work with employers to maximise the effectiveness of the administration of this Act, including by minimising the regulatory burden on employers
- promote and contribute to understanding and acceptance, and public discussion, of gender equality in the workplace
- review the effectiveness of this Act in achieving its purposes
- report to the Minister on such matters in relation to gender equality in the workplace as the Agency thinks fit.

## WGEA's strategy

In parallel to the review and reforms of the Act, WGEA has articulated its role to be that of regulator and driver of change through a revamped Agency vision, mission, and strategy.

The Agency's vision is achieving gender equality, where all people are fairly represented and equally valued and rewarded in the workplace. To support this vision, the Agency's mission is to accelerate change to achieve gender equality in Australian workplaces, by providing data-backed insights, practical enabling support, tools and research, and accessible pathways to leading practice.

The Agency focuses on high impact areas, and will carry out its vision and mission through the following strategic priorities:

1. enhancing the reporting experience and expanding the WGEA dataset
2. generating knowledge, insights and tools for change through data
3. driving broader, deeper action with employers
4. enabling and amplifying national gender equality momentum
5. growing the team and enhancing capability to accelerate change.

The new Agency strategy aligns with many of the recommendations set out in WGEA's submission to the Review of the Act, in addition to the recommendations emerging from the Review of the Act. Therefore, the Agency's strategy is fit-for-purpose to realise and implement those recommendations that cement WGEA's role as a driver and accelerator of change.

## Resourcing

The Agency operates out of leased accommodation in the Sydney CBD. It had an average staffing level in 2021-22 of 36 with an annual appropriation of a little over \$6 million including capital funding of approximately \$400,000. This includes \$4.35 million funding secured over four years to support delivery of the Government response to recommendations 42 and 43 of the Respect@Work report. From 2022-23, the Australian Government allocated \$17.5 million in funding over four years to the Agency to implement the recommendations from the Review of the Act. Both these budget measures increase its average staffing level by an additional 15 roles in 2022-23.

## **Data governance and quality**

The Agency collects data from relevant employers with 100 or more employees through an annual census covering 40 per cent of employed people in Australia. The Agency has now completed its ninth year of reporting. As a data collection agency, the Agency relies on a robust data governance framework to perform its functions effectively and to continue building trust in its longitudinal dataset.

The Agency's Data Governance Framework provides a structure for the support, development and implementation of all data management practices. The Framework outlines the Agency's approach to collecting, managing, securing, sharing and storing data, which includes processes and information technology required to create consistent and appropriate handling of data and understanding of information across the Agency.

The Agency is committed to the highest possible data quality to ensure the appropriate use for its intended purpose under the Act. As part of the Agency's commitment to data sharing, transparency and engagement with our data users, the Agency publishes its Data Quality Report annually. The inaugural Data Quality Report was published in 2019. The report highlights the Agency's data coverage, longitudinal variations and data quality parameters ensuring our data is fit-for-purpose. In line with the academic literature and other national data agencies and departments, the Agency uses the six data quality dimensions: relevance, accuracy, timeliness, accessibility, interpretability, and coherence. The report communicates the processes that the Agency follows to assess the quality of the dataset. The Data Quality Reports are made available on [WGEA's website](#).

## **Data collection and management platform**

Over the period of this report, the Agency launched its new reporting platform. The Agency developed the platform to streamline the reporting experience for employers and enhance the analysis and insights from the data.

The platform was first available for employers to use for reporting in 2021. While the initial roll-out of the platform had challenges, the Agency has improved and enhanced the system, resulting in a quicker and more streamlined reporting experience in 2022.

The platform also has flexibility in that it enables voluntary reporting by organisations. This has been integral to the Agency's engagement with public sector organisations.

# Reporting under the Act

The Act requires non-public sector employers with 100 or more employees (relevant employers) to report to the Agency annually against standardised gender equality indicators (GEIs). They do this by completing and submitting three reporting templates:

- **Workplace Profile** – Excel worksheet designed to collect de-identified information about workforce composition, salaries and remuneration
- **Workforce Management Statistics** – Excel worksheet designed to collect de-identified information about employee movements, including appointments, promotions, resignations and parental leave
- **Questionnaire** – online survey related to an organisation's policies, strategies and actions on gender equality.

Through annual reporting, WGEA also asks employers voluntary questions related to emerging issues for workplace gender equality. For instance, over the period of this progress report, this included questions related to target setting for gender equality and the intersection of gender and diversity in the workplace.

All reporting documents can be accessed on [WGEA's website](#).

The GEIs are:

- **GEI 1** – gender composition of the workforce
- **GEI 2** – gender composition of governing bodies of relevant employers
- **GEI 3** – equal remuneration between women and men
- **GEI 4** – availability and utility of employment terms, conditions and practices relating to flexible working arrangements for employees and to working arrangements supporting employees with family or caring responsibilities
- **GEI 5** – consultation with employees on issues concerning gender equality in the workplace
- **GEI 6** – any other matters specified by the Minister – sex-based harassment and discrimination.

## Timeframe for reporting

The reporting period under the Act refers to the 12 months from 1 April to 31 March, with reports due between 1 April and 31 May each year.

The Agency makes every effort to engage employers in complying with the Act. Given challenges related to the impact of COVID-19 on workplaces as well as the initial rollout of WGEA's new reporting platform, WGEA extended the reporting period for 2020-21.

Reporting is available online, using a secure reporting portal. Reporting organisations log into the system using a Digital Identity (such as myGovID) and submit all information through the portal. The portal also provides an ongoing record of all reports to track data over time.

## Confidential and public reports

During the period of this report, information submitted by employers was collated into confidential reports accessible in the secure online portal. The information, excluding personal information and remuneration data (which remains confidential), was collated and published on the Data Explorer. The Data Explorer contains the public data from employers' reports to WGEA, and is available on the WGEA website. The Agency's public data is also available on [data.gov.au](https://data.gov.au).

## The Agency's dataset

The data collected from relevant employers through annual reporting contributes to the Agency's growing dataset. In December 2022, the Agency released the ninth comprehensive set of workplace data. The 2021-22 dataset is the largest Agency dataset to date, covering almost 4.5 million employees.

Table 1 shows the number of employees and number of submission groups in each of the corresponding datasets. These numbers reflect the size of the dataset at 'data cut-off' date. This is the date at which the Agency uses the submitted reports to analyse the data and provide data insights to employers including industry benchmarks. Data cut-off is after the close of the report submission period each year (meaning after 31 May) and includes the majority of employers which are required to report to WGEA. While employers can complete their gender equality reports after the data cut-off date, their data will not be included in the Agency's analysis of gender equality reporting for that year.

**Table 1:** Number of submission groups and employees at data cut-off

	Reporting Period 2013-14	Reporting Period 2019-20	Reporting Period 2020-21	Reporting Period 2021-22
Number of submission groups	4,354	4,943	4,474	4,795
Number of employees	3,891,900	4,393,656	4,190,596	4,483,330

Each year, the Agency releases a national [gender equality scorecard](#) which summarises key findings from the Agency's reporting data. The headline data is also published in fact sheets, research reports, media reports and WGEA's online Data Explorer. The Data Explorer tool attracted 16,191 new users between 1 July 2020 and 30 June 2021, and 18,528 new users between 1 July 2021 and 30 June 2022. The availability of this data in a more accessible format has also contributed to the attraction of more than 212,000 page views.

# Progress achieved in relation to the Gender Equality Indicators (GEIs)

This section reports employer progress against the GEIs, covering the 2020–21 and 2021–22 datasets. For comparison purposes, both 2013–14 (the first year of employer reporting to WGEA) and 2019–20 (the last reporting period reported in the previous progress report) are used as benchmarks for most indicators to show employer progress over the years.

It is clear that progress measured against many of the GEIs has stalled.

## Progress against minimum standards

The *Workplace Gender Equality (Minimum Standards) Instrument 2014* (Minimum Standards Legislative Instrument) sets out minimum standards which apply to relevant employers with 500 or more employees. These employers must have a policy and/or strategy in place to support one or more of the gender equality indicators outlined in the instrument with the aim to achieve the objective for each gender equality indicator. If an employer that is required to meet a minimum standard does not do so, it has a further two reporting periods to improve against the standard before it may be deemed non-compliant.

Gender Equality Indicator	Objective
<b>GEI1</b> Gender composition of the workforce	Supporting gender equality in the workplace
<b>GEI3</b> Equal remuneration between women and men	Supporting equal remuneration between women and men
<b>GEI4</b> Availability and utility of employment terms, conditions and practices relating to flexible working arrangements for employees and to working arrangements supporting employees with family or caring responsibilities	Supporting flexible working arrangements for employees with caring responsibilities
<b>GEI6</b> Sex-based harassment and discrimination	Prevention of sex-based harassment and discrimination in the workplace

Most organisations with 500 or more employees have complied with the minimum standards. No employers were named non-compliant on the basis of failing to meet the minimum standard for the 2020–21 and 2021–22 reporting periods. WGEA is however working with a small number of employers to ensure they have the relevant policies in place to avoid non-compliance in the future.

The high compliance rate is in large part driven by the very high percentage of reporting organisations with a policy and/or strategy relating to sex-based harassment and discrimination prevention (98.9% in 2020–21 and 99.3% in 2021–22). This is likely due to employers taking steps to minimise the risk of liability under the *Sex Discrimination Act 1984* (Cth) (SD Act) and/or any other applicable federal, state and territory anti-discrimination legislation. For example, under the SD Act, employers have a duty to take all reasonable steps to prevent sexual harassment in the workplace. While the SD Act does not define 'reasonable steps,' the Australian Human Rights Commission (AHRC) has recommended that all employers 'adopt a number of essential preventative measures,' including 'developing and implementing a sexual harassment policy.'<sup>1</sup> This is also reiterated in the guidelines set out in the AHRC's Code of Practice for employers<sup>2</sup>, and Safe Work Australia's National Guidance Material on Preventing Workplace Sexual Harassment stating that a workplace policy helps to set standards and expectations about workplace behaviour.<sup>3</sup>

<sup>1</sup> Australian Human Rights Commission (2014), Ending workplace sexual harassment: A resource for small, medium and large employers, viewed 6 February 2023, available: <https://humanrights.gov.au/our-work/sex-discrimination/publications/ending-workplace-sexual-harassment-resource-small-medium>

<sup>2</sup> Australian Human Rights Commission (2008), Effectively preventing and responding to sexual harassment: A Code of Practice for Employers, viewed 6 February 2023, available: [https://humanrights.gov.au/sites/default/files/content/sexualharassment/employers\\_code/COP2008.pdf](https://humanrights.gov.au/sites/default/files/content/sexualharassment/employers_code/COP2008.pdf)

<sup>3</sup> Safe Work Australia (2021), Preventing Workplace Sexual Harassment: National Guidance Material, viewed 6 February 2023, available: <https://www.safeworkaustralia.gov.au/sites/default/files/2021-06/Guide%20for%20preventing%20workplace%20sexual%20harassment.pdf>

The organisations that do not have a policy that aims to achieve the prevention of sex-based harassment and discrimination, do have one or more policies and/or strategies in other areas. The data also shows that a smaller proportion of employers have a policy or strategy aimed at addressing equal remuneration between women and men. Although the minimum standards do not apply to organisations with less than 500 employees, a high percentage of organisations with less than 500 employees also have policies and strategies in place to support one or more of the gender equality indicators outlined in the Minimum Standards Legislative Instrument.

**Table 2:** Performance against minimum standards – percentage with a policy and/or strategy in place

Policies and Strategies	Reporting Period 2014-15		Reporting Period 2019-20		Reporting Period 2020-21		Reporting Period 2021-22	
	Up to 499 employees	500 or more employees	Up to 499 employees	500 or more employees	Up to 499 employees	500 or more employees	Up to 499 employees	500 or more employees
Gender composition of the workforce	82.0	93.0	89.4	95.5	92.4	95.9	93.3	96.7
Equal remuneration between women and men	9.7	23.3	22.3	38.5	32.2	47.8	34.7	49.8
Availability of flexible working and other arrangements for employees with family or caring responsibilities	54.7	68.9	64.9	76.7	62.9	76.3	64.5	77.5
Sex-based harassment and discrimination	98.3	99.4	98.1	99.6	97.9	98.9	98.0	99.3

### Progress summary

All organisations with 500 or more employees have a policy or strategy in place which supports one of the gender equality indicators in the Minimum Standards Legislative Instrument, thus meeting the minimum standards. This is likely due to employers taking steps to minimise the risk of liability under the SD Act and/or any other applicable federal, state and territory anti-discrimination legislation, and therefore, having policies and/or strategies related to sex-based harassment and discrimination.

Recognising that all relevant employers have met the minimum standards, Recommendation 3 from the Review of the Act set to raise the bar for the minimum standards and challenge employers with 500 or more employees to take action on workplace gender equality through the setting of targets. This Recommendation will be further discussed in the section on the future of gender equality reporting in Australia.

## GEI1 – Progress towards a gender-balanced workforce

The objective of the first indicator is to improve the gender balance in the workforce. Under this indicator, organisations provide data on the gender composition of the workforce, the promotions, resignations, and appointments by gender as well as the availability of policies and/or strategies that support gender equality in the workplace.

Relevant employers are required to report to WGEA on the relative positions of women and men in the workforce. The proportion of women and men in WGEA's dataset is roughly equal. The number of women in the workforce has steadily increased since the 2013-2014 reporting period from 48.5% to sit at roughly 51% in the last two reporting periods. Beginning in the 2020-21 reporting period, employers could also report voluntary data on employees who identify as non-binary.<sup>4</sup>

**Table 3:** Gender composition of the workforce, expressed as a percentage

Gender	Reporting Period 2013-14	Reporting Period 2019-20	Reporting Period 2020-21	Reporting Period 2021-22
Women	48.5	50.5	50.9	51.0
Men	51.5	49.5	49.0	48.9
Non-binary	n/a	n/a	0.1	0.1
<b>Total workforce</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>

Although the gender composition of the workforce is roughly equal, women are more likely to be employed in part-time and casual positions and less likely to be employed full-time when compared to men. Gender segregation by employment status has remained generally unchanged since employer reporting to WGEA began – women in full-time positions has moved from 20.6% in the 2013-2014 reporting period to 21.4% in the 2021-2022 reporting period.

**Table 4:** Employment Status – proportion of women and men, working full-time, part-time and casual, expressed as a percentage

Employment Status	Gender	Reporting Period 2013-14	Reporting Period 2019-20	Reporting Period 2020-21	Reporting Period 2021-22
Full-time	Women	20.6	20.5	20.8	21.4
	Men	37.0	33.4	33.0	32.9
Part-time	Women	15.3	16.1	16.4	15.8
	Men	5.0	5.3	5.5	5.4
Casual	Women	12.6	13.9	13.7	13.8
	Men	9.4	10.8	10.5	10.6
<b>Total workforce</b>		<b>100</b>	<b>100</b>	<b>99.9</b>	<b>99.9</b>

\*Data for the 2020-21 and 2021-22 reporting periods adds to 99.9% due to employers reporting voluntary data on employees identifying as non-binary (0.01%). Due to the current sample size, employees identifying as non-binary cannot be statistically analysed.

<sup>4</sup> In the 2020-21 and 2021-22 reporting periods, employees identifying as non-binary accounted for less than 0.1% of all employee data collected. Due to the current sample size, employees identifying as non-binary cannot be statistically analysed.

## Women in leadership

The data continues to show that women are under-represented in management positions. The representation of women across all manager categories has improved little between 2019-20 and 2021-22. Over the period, the representation of women across all manager categories increased 1.1 percentage points (pp) (from 39.9% in 2019-20 to 41% in 2021-22).

Overall, the representation of women declines steadily with progression to higher levels of seniority, a pattern observed since employer reporting to WGEA began. Over the period of this report, the greatest percentage point increase was at the level of Chief Executive Officer (CEO), which saw a 4.0 percentage point increase. However, women still account for less than a quarter of CEOs. The proportion of women reported as CEOs has increased 5.0 percentage points since 2013-14 (the first year of employer reporting to WGEA).

**Table 5:** Proportion of women in manager categories, expressed as a percentage

Occupation	Reporting Period 2013-14	Reporting Period 2019-20	Reporting Period 2020-21	Reporting Period 2021-22
CEO/Head of Business (HOB) in Australia*	17.3	18.3	19.3	22.3
HOB*	n/a	n/a	33.5	28.7
Key management personnel	26.1	32.5	34.6	35.1
Other executives/general managers	27.8	33.4	34.1	34.8
Senior managers	31.7	36.5	37.4	38.6
Other managers	39.8	43.0	43.4	43.5
<b>Total</b>	<b>35.9</b>	<b>39.9</b>	<b>40.7</b>	<b>41.0</b>

\* WGEA began reporting HOB as a separate occupation from 2020-21

## Gender equality in non-manager roles

WGEA data shows that gender segregation in occupations is entrenched. Women still dominate certain non-manager occupations, such as clerical and administrative roles and community and personal service roles, while men dominate machinery operators and drivers, and technicians and trades. Since 2019-20, there has been little change in the proportion of women in non-manager occupational categories. The largest change over that period is in the proportion of women labourers, at 4 percentage points which is an improvement but still slow.



**Table 6:** Proportion of women in non-manager occupational categories, expressed as a percentage

Occupation	Reporting Period 2013-14	Reporting Period 2019-20	Reporting Period 2020-21	Reporting Period 2021-22
Clerical and administrative	75.6	73.8	73.2	72.4
Community and personal service	73.5	72.0	72.0	71.1
Sales	59.7	58.7	58.6	59.3
Professionals	51.7	53.5	53.9	54.5
Labourers	28.0	32.8	37.0	36.8
Technicians and trade	11.8	14.0	16.2	16.0
Machinery operators and drivers	10.8	13.2	14.3	14.3
<b>Total</b>	<b>50.3</b>	<b>51.8</b>	<b>52.3</b>	<b>52.3</b>

## Gender equality policies and strategies

The proportion of organisations with policies and/or strategies in place to support gender equality has been relatively high over the last two reporting periods, and at the same time, the data shows that fewer than 40% of employers have key performance indicators for managers relating to gender equality, and fewer than one third of employers have a policy or strategy related to consulting employees on matters related to gender equality since 2013-14.

**Table 7:** Percentage of reporting organisations with policies and/or strategies to support gender equality

Policy or Strategy	Reporting Period 2013-14	Reporting Period 2019-20	Reporting Period 2020-21	Reporting Period 2021-22
Recruitment	72.9	85.0	86.3	87.2
Training and development	63.8	80.7	83.1	84.9
Performance management processes	60.9	80.0	82.4	84.9
Gender equality policy and/or strategy overall	66.2	76.5	76.9	77.7
Promotions	55.7	72.0	72.2	73.0
Talent identification/identification of high potentials	47.2	69.0	69.7	72.3
Succession planning	44.4	66.5	68.8	71.0
Retention	48.2	66.2	66.6	69.2
Employee consultation*	n/a	n/a	n/a	30.0
Key performance indicators for managers relating to gender equality	18.1	33.5	36.1	37.5

\* For the first time in 2021-22, employers were asked whether they have a formal policy and/or strategy on consulting employees on gender equality issues.

## Employee movement – appointments, promotions and resignations

Employee movements are captured by manager and non-manager categories and by employment status. Over the period of this report, the proportion of women appointed, promoted and resigned, for both managers and non-managers, has remained stable, indicating slow progress in occupational segregation.

For instance, since 2019–20, the proportion of women appointed to manager roles has remained between 44–47% and the proportion of women appointed to non-manager roles has remained between 52–54%. In addition, employers were able to report on external and internal appointments separately beginning in 2020–21.

The percentage of all managerial appointments (45.3%) and promotions overall (46.4%) that went to women is higher than their current representation in manager roles (41%). There has been incremental progress in this area over the period. In 2019–20, women accounted for 44.7% of all managerial appointments and 47.3% of all managerial promotions but 39.9% of all managers.

**Table 8:** Gender composition – Percentage of women for appointments, promotions and resignations, all employment statuses, 2019–20 to 2021–22

Employee Movements	Roles	Reporting Period 2019-20	Reporting Period 2020-21	Reporting Period 2021-22
Appointments - all	Manager	44.7	46.6	45.3
	Non-manager	52.1	52.1	53.7
Appointments - external	Manager	n/a	47.1	43.5
	Non-manager	n/a	52.1	53.7
Appointments - internal	Manager	n/a	46.3	46.3
	Non-manager	n/a	55.1	54.7
Promotions	Manager	47.3	46.5	46.4
	Non-manager	49.4	50.5	47.6
Resignations	Manager	43.6	45.9	43.5
	Non-manager	54.3	55.5	54.5

## Voluntary data – composition

To better understand the gender composition of the workforce and other factors that may contribute to employee movements and progression, WGEA began collecting data on employee age and primary workplace location on a voluntary basis in 2020–21. Also starting in 2020–21, employers could report data on employees who identify as non-binary. The data shows that the proportion of employers reporting data against these voluntary categories increased slightly between 2020–21 and 2021–22.

- 73.4% of employers provided data on employee age in 2020–21 and 75.6% of employers provided data on employee age in 2021–22.
- 72.2% of employers provided data on employees' primary work location in 2020–21 and 73.1% of employers provided data on employees' primary work location in 2021–22.
- 8.8% of employers provided data on employees who identify as non-binary in 2020–21 and 13.9% of employers provided data on employees who identify as non-binary in 2021–22.

The high proportion of responses on age and location data allowed WGEA to conduct further analysis of this data to produce new insights on how age and location affect the gender pay gap. In June 2022, WGEA released a new report, *Wages and Ages: Mapping the Gender Pay Gap by Age*, which found there are gender pay gaps favouring men in every age group, reaching a peak for employees aged 45-64, at which point the gender pay gap is over 30%, with women earning an average more than \$40,000 per year less than men.

In October 2022, WGEA and Bankwest Curtin Economics Centre (BCEC) used the voluntary location data to publish a new report in the [Gender Equity Insights](#) series which found the gender pay gap varies significantly across Australia and women face a "remoteness penalty." These pieces of research provide important insights for employers and policy makers for how to close the gender pay gap.

### Voluntary data – target setting

WGEA recognises that employer action to address gender equality has been slow. Targets – when realistic and time-framed – provide an opportunity to make both consistent progress and lasting change. During the 2021-22 reporting period, employers were asked a voluntary question on whether they set targets to address gender equality in their workplaces. 53.4% of employers responded that they do set targets. Of these employers, more than half (55%) set targets to increase the number of women in leadership positions.

**Table 9:** Proportion of organisations setting targets to address gender equality in the workplace, expressed as a percentage

Gender Equality Target	Reporting Period 2021-22
Reduce the gender pay gap	38
Increase the number of women in leadership positions	55
Increase the number of women in male-dominated roles	36
Increase the number of men in female-dominated roles	14
Increase the number of men taking parental leave	19
Increase the number of men using flexible work arrangements	16
Other	27

### Progress summary

The objective of GEI1 is to drive better gender balance across the workforce, across management and non-management levels. Since 2019-20, the employer data reported against GEI1 continues to show a small increase in women’s representation in the workforce.

At the same time, WGEA’s data collection against additional voluntary data categories related to the gender composition of the workforce has increased understanding and analysis of the gender pay gap by age and location.

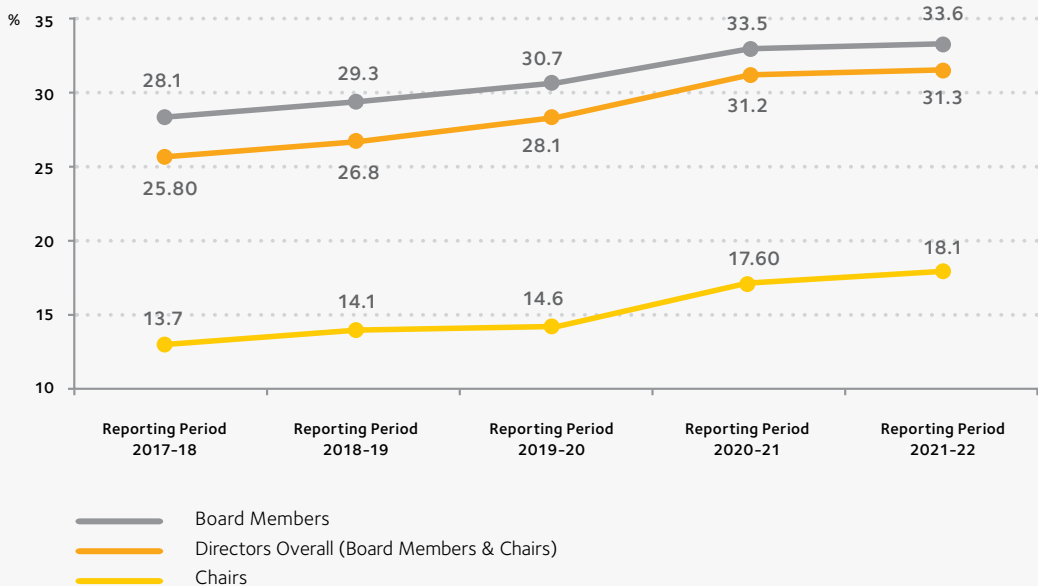
Overall, employers recognise the importance of gender equality in the workplace, which is indicated through the high proportion of employers with formal policies and/or strategies on workplace gender equality issues. However, data suggests these policies and/or strategies have not necessarily translated into employer action. This is demonstrated by statistics on employment status, gender composition of management, and employee movement that have only minimally changed over the last two reporting periods. The data further demonstrates that occupational gender segregation remains a key challenge to progressing workplace gender equality outcomes. The challenge, therefore, is translating the recognition of these issues into employer action. This is the focus of WGEA’s revised strategy for the coming years.

## GEI2 – Gender composition of governing bodies

This indicator measures the gender composition of governing bodies or boards and seeks information on whether organisations have policies and/or strategies in place to improve the gender balance of their governing body including the use of targets.

Women continue to be underrepresented on boards. Since 2019-20, the proportion of women board members and the proportion of women who are Chairs have both increased by about 3 percentage points, indicating incremental progress. However, between 2020-21 and 2021-22, the rate of change has slowed, and the proportion of women board members increased 0.1% and Chairs increased by 0.5% between 2020-21 and 2021-22. Since the previous progress report, the data shows minor gains with the proportion of women board members and chairs increasing by about 3 percentage points.

**Chart 1:** Percentage of women’s representation on governing bodies/boards



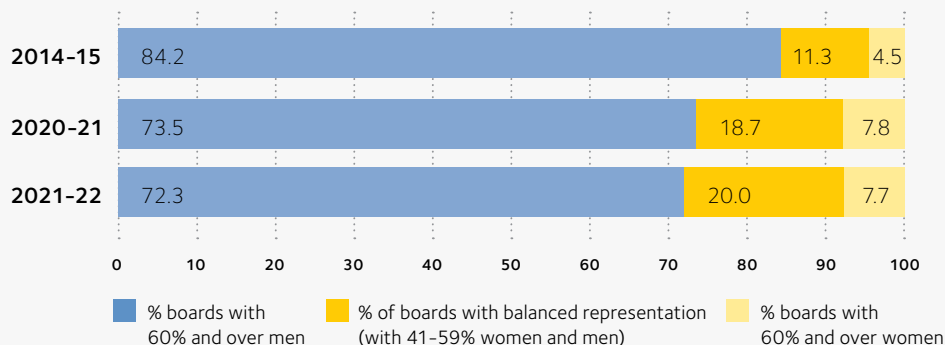
The Agency also captures the percentage of organisations with a target in place to increase the representation of women on their boards or governing bodies. The percentage of organisations with a target in place increased 4.6 percentage points since the last progress report in 2019-20.

- 2019-20 – 8.2%
- 2020-21 – 12.2%
- 2021-22 – 12.8%

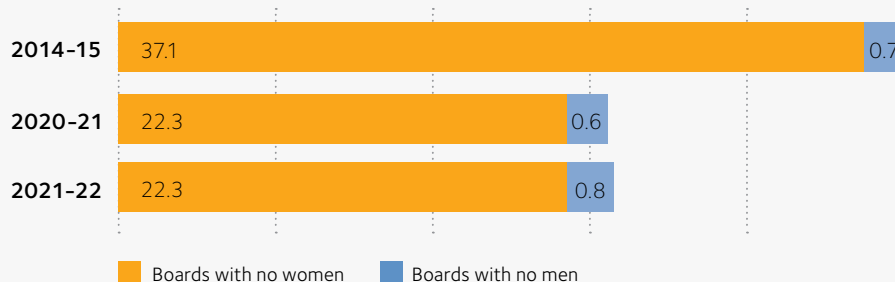
Since 2014-15, the proportion of gender-balanced governing bodies has increased while the proportion of male-dominated governing bodies has decreased. At the same time, 22% of governing bodies still have no women in 2021-22.

About half of organisations have policies and/or strategies specific to selecting governing body members. Only about one quarter of organisations have a policy and/or strategy for the composition of their governing body. This was a new question asked of employers in the 2021-22 reporting period.

**Chart 2A:** Gender representation on boards



**Chart 2B:** Boards comprising 100% of one gender



**Table 10:** Proportion of organisations with policies and strategies for governing bodies, expressed as a percentage

Formal Policy and/or Strategy	Reporting Period 2013-14	Reporting Period 2019-20	Reporting Period 2020-21	Reporting Period 2021-22
Selection of governing body members	38.2	45.4	53.9	55.7
Composition of the governing body	n/a	n/a	n/a	24.7

### Progress summary

The progress to increase the representation of women on boards is very slow. The data does not show any significant progress. The proportion of reporting organisations with a target to increase female representation on boards has remained steady at 8% for the past three years.

## **GEI3 – Progress towards equal remuneration between women and men**

This indicator measures equal remuneration between women and men across organisations, industries and occupations and aims to promote equal remuneration between women and men. This indicator also captures salary information based on occupational category and employment status. In addition, the Agency captures data relating to policies and/or strategies aimed at identifying and addressing gender pay gaps. This includes information on whether organisations have undertaken a gender pay gap analysis as well as any actions taken as a result of the analysis.

The Agency's data shows a persistent gender pay gap in favour of men. While data shows that the gender pay gap has been slowly trending downward since reporting to WGEA began, there was no change in the all employees total remuneration gender pay gap between the last two reporting periods. It has remained at 22.8%, down from 23.3% in 2019–20.

### **Gender pay gaps**

The gender pay gap is a measure of how we value the contribution of men and women in the workforce. Expressed as a percentage or a dollar figure it shows the difference between the average earnings of women and men in an organisation, industry and the workforce as a whole. Closing the gender pay gap is important for Australia's economic future and reflects our aspiration to be an equal and fair society for all.

The gender pay gap is different to equal pay. Equal pay is where women and men are paid the same for performing the same role or different work of equal or comparable value. In Australia, this is a legal requirement.

The Agency calculates both base salary and total remuneration gender pay gaps. The base salary gender pay gap is calculated on the full-time salaries of women and men. The total remuneration gender pay gap includes superannuation, bonuses and other additional payments. The gender pay gaps referred to in this report are based on total remuneration of all employees.<sup>5</sup> This includes employees employed on a full-time, part-time, and casual basis. CEO remuneration is not included because employers are not currently required to report this data under the Act.<sup>6</sup>

Progress in closing the gender pay gap has slowed over the reporting period. The gender pay gap has declined by only 0.5 percentage points since 2019–20, while it has declined 5.8 percentage points since 2013–14 (Table 10). The gender pay gap of 22.8% for 2021–22 is equivalent to an average annual difference of \$26,596. This difference in average earnings contributes to a pronounced difference between women's and men's average spending power, retirement savings and lifetime earnings.

The Agency's dataset also includes gender pay gaps by industry and by manager category and non-manager occupation. The gender pay gap has generally remained the same in most industries and across most manager and occupational categories between 2019–20 and 2021–22, which suggests there has not been significant action against the gender pay gap since the start of the COVID-19 pandemic. The exceptions are Senior Managers and Other non-managers – both show a decrease in the gender pay gap by 5.3 percentage points and 4.0 percentage points respectively.

The causes of the gender pay gap are complex and include women's underrepresentation in senior leadership, gender segregation across industries and occupations, women's disproportionate share of unpaid caring and domestic work, lack of workplace flexibility, women spending a greater time out of the workforce as well as discrimination and bias.

In July 2022, WGEA, along with KPMG and Diversity Council Australia, published the fourth edition of [\*She's Price\(d\)less, the economics of the gender pay gap\*](#), which delves into the drivers of the gender pay gap. It found that despite the pressures of the COVID-19 crisis, care, family and workforce participation had decreased as a cause of the gender pay gap, while type of job (industry and occupational segregation) had increased. The largest driver of the gender pay gap in Australia, however, continued to be gender discrimination.

Table 10 shows the gender pay gap is highly influenced by industry and the persistence of gender segregation by industry. Since 2019–20, no industry has shown a significant change to the total remuneration gender pay gap. However, since 2013–14, 17 out of 19 industries have shown some decline in the gender pay gap.

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<sup>5</sup> The 2019–20 progress report referred to the total remuneration gender pay gap data of full-time employees only. This calculation is more limited in scope than the total remuneration gender pay gap of all employees in the WGEA dataset.

<sup>6</sup> The review of the Act recommended that WGEA collect CEO remuneration data. This recommendation requires legislative amendment in order to take effect.

**Table 11:** Gender pay gaps for total full-time remuneration by ANZSIC division,<sup>7</sup> as a percentage of men's earnings

Industry	Reporting Period 2013-14	Reporting Period 2019-20	Reporting Period 2020-21	Reporting Period 2021-22	Change (in pp) Between 2019-20 and 2021-22	Change (in pp) Between 2013-14 and 2021-22
Accommodation and Food Services	19.1	7.4	6.0	6.9	-0.5	-12.2
Financial and Insurance Services	38.8	30.3	29.5	28.6	-1.7	-10.2
Administrative and Support Services	21.0	12.8	15.1	11.8	-1.0	-9.2
Information Media and Telecommunications	27.3	23.4	18.5	20.6	-2.8	-6.7
Public Administration and Safety	10.3	6.0	4.7	3.7	-2.3	-6.6
Professional, Scientific and Technical Services	29.8	22.4	24.6	23.5	+1.1	-6.3
Agriculture, Forestry and Fishing	24.0	22.3	20.5	18.8	-3.5	-5.2
Arts and Recreation Services	18.7	15.0	9.9	13.7	-1.3	-5.0
Manufacturing	17.1	13.8	13.8	12.3	-1.5	-4.8
Transport, Postal and Warehousing	23.3	19.7	16.7	19.3	-0.4	-4.0
Retail Trade	17.2	12.4	12.7	13.3	+0.9	-3.9
Electricity, Gas, Water and Waste Services	18.9	13.9	14.0	15.9	+2.0	-3.0
Mining	17.4	13.4	14.3	14.4	+1.0	-3.0
Other Services	20.0	18.8	18.3	18.0	-0.8	-2.0
Wholesale Trade	17.5	16.1	15.0	15.7	-0.4	-1.8
Education and Training	12.2	10.1	10.5	10.5	+0.4	-1.7
Health Care and Social Assistance	13.6	13.9	14.4	13.4	-0.5	-0.2
Construction	28.1	27.5	30.6	29.0	+1.5	+0.9
Rental, Hiring and Real Estate Services	25.6	25.0	21.7	27.6	+2.6	+2.0
<b>Overall</b>	<b>28.6</b>	<b>23.3</b>	<b>22.8</b>	<b>22.8</b>	<b>-0.5</b>	<b>-5.8</b>

<sup>7</sup> The ANZSIC system is the national framework for classifying business entities based on their primary business activity for use in the compilation and analysis of industry statistics in Australia and New Zealand. Expressed as a four digit code, the ANZSIC framework is used to classify and benchmark your data against your relevant industry, subdivision, group, and class. The ANZSIC system is also used by other government agencies such as the ABS.

Table 11 shows the full-time total remuneration gender pay gap is in favour of men across all occupational levels of the workforce. There continues to be a gender pay gap in every occupation, in both manager and non-manager categories. With the exceptions of Senior Managers and Other non-managers, there has been little progress in closing the gender pay gap over the two year period of this progress report.

Since 2013-14, however, there has been greater progress in addressing the gender pay gap within occupations. This is particularly the case within the top levels of management (Key management personnel, Senior manager, and Other executive/general managers) which likely reflects that more women are progressing into management, and thus higher earning positions. The non-manager occupations of Community and personal service and Labourers have also shown real declines in the gender pay gap since 2013-14.

**Table 12:** Gender pay gaps for all employees total remuneration, by occupation, as a percentage of men's earnings

Occupation	Reporting Period 2013-14	Reporting Period 2019-20	Reporting Period 2020-21	Reporting Period 2021-22	Change (in pp) Between 2019-20 and 2021-22	Change (in pp) Between 2013-14 and 2021-22
Community and personal service	18.0	5.3	5.1	5.1	-0.2	-12.0
Senior managers	23.1	17.0	17.8	11.7	-5.3	-11.4
Labourers	24.5	17.7	17.3	14.9	-2.8	-9.6
Other executives/general managers	28.3	21.9	22.5	21.9	0	-6.4
Key management personnel	29.9	24.7	23.1	24.5	-0.2	-5.4
Technicians and trade	32.1	27.9	27.7	27.5	-0.4	-4.6
Other managers	23.9	18.9	19.8	19.4	+0.5	-4.5
Professionals	22.2	18.0	18.2	18.5	+0.5	-3.7
Machinery operators and drivers	16.8	13.4	15.0	13.5	+0.1	-3.3
Sales	17.3	15.8	13.7	14.3	-1.5	-3
Other non-managers	17.3	18.4	16.5	14.4	-4.0	-2.9
Clerical and administrative	8.4	6.4	8.0	8.1	+1.7	-0.3



The trends observed in the Agency’s gender pay gap data are consistent with data from other sources. The national gender pay gap, calculated by the Agency using Australian Bureau of Statistics (ABS) data<sup>8</sup>, has hovered between 13% and 19% over the past two decades. Overall, the national gender pay gap also had a downward trend prior to the onset of the COVID-19 pandemic and indicates less progress in closing the gap in the past few years.

The difference between male and female earnings remains a key area for improvement to ensure that women can achieve the same level of economic reward and security as men.

## Employer action on gender equality

An increasing proportion of organisations are developing policies and/or strategies with specific gender pay equity objectives. In 2021-22, 58.7% of remuneration policies and/or strategies included specific gender equality objectives. This is an increase of 15.6 percentage points since 2019-20 and 40.6 percentage points since 2013-14.

**Table 13:** Policies/strategies, by proportion of organisations, expressed as a percentage

Actions	Reporting Period 2013-14	Reporting Period 2019-20	Reporting Period 2020-21	Reporting Period 2021-22
Remuneration policy and/or strategy in place	48.9	63.8	67.2	67.3
Policy and/or strategy contains specific gender equality objectives	18.1	43.1	55.2	58.7

**Table 14:** Proportion of organisations that conducted a pay gap analysis, expressed as a percentage

Actions	Reporting Period 2013-14	Reporting Period 2019-20	Reporting Period 2020-21	Reporting Period 2021-22
Conducted a gender pay gap analysis	24.0	46.4	51.5	54.0

There has been little change in the proportion of organisations taking action as a result of their gender pay gap analysis. This follows a period of decline in the previous reporting period (detailed in the 2019-20 progress report). Taken together, the data indicates that employer action to address the gender pay gap has stagnated.

Similarly, an analysis by industry shows there has been little change in the proportion of organisations taking action as a result of their gender pay gap analysis. There are exceptions. Between 2019-20 and 2021-22, the proportion of organisations in the Retail Trade industry which took action as a result of their pay gap analysis increased by 20.3 percentage points, while the proportion of organisations in the Transport, Postal and Warehousing, Other Services, and Manufacturing industries which took action increased by more than 10 percentage points.

<sup>8</sup> The data used by the Agency for calculating the national gender pay gap is the ABS Full-Time Adult Average Weekly Ordinary Time Earnings from the Australian Weekly Earnings survey. Traditionally, the data used by the Agency for calculating the national gender pay gap was the ABS Full-Time Adult Average Weekly Ordinary Time Earnings Trend series from the Australian Weekly Earnings survey. However, given the impact of COVID-19 on the labour market and that it is not known whether this impact will be short, medium or long-term, the ABS suspended the use of trend data (see ABS, 2022, Average Weekly Earnings, Australia methodology, viewed 24 January 2023, available: <https://www.abs.gov.au/methodologies/average-weekly-earnings-australia-methodology/may-2022>). Therefore, seasonally adjusted data has been used to calculate average weekly earnings during the COVID-19 period, and WGEA has used this data to calculate the national gender pay gap.

**Table 15:** Proportion of organisations taking actions including the types of action taken, expressed as a percentage

<b>Actions</b>	<b>Reporting Period 2013-14</b>	<b>Reporting Period 2019-20</b>	<b>Reporting Period 2020-21</b>	<b>Reporting Period 2021-22</b>
Identified cause/s of the gaps	22.1	62.5	62.2	58.7
Taken action as a result of gender pay gap analysis (overall)	24	54.5	56.0	57.8
Corrected like-for-like gaps	n/a	49.0	54.6	55.9
Reviewed remuneration decision-making processes	13.8	49.7	48.2	48.4
Reported pay equity metrics (including gender pay gaps) to the executive	n/a	48.8	49.9	46.2
Analysed performance pay to ensure there is no gender bias (including unconscious bias)	n/a	44.1	48.3	45.9
Analysed commencement salaries by gender to ensure there are no pay gaps	n/a	37.6	39.5	37.6
Analysed performance ratings to ensure there is no gender bias (including unconscious bias)	n/a	41.8	40.9	36.9
Reported pay equity metrics (including gender pay gaps) to the governing body	n/a	33.6	35.4	32.5
Trained people-managers in addressing gender bias (including unconscious bias)	n/a	27.3	27.0	28.9
Created a pay equity strategy or action plan	10.5	25.5	25.9	25.9
Set targets to reduce any organisation-wide gap	n/a	16.9	18.4	18.2
Reported pay equity metrics (including gender pay gaps) to all employees	n/a	10.7	10.5	10.0
Implemented other changes	8.0	11.4	9.3	9.8
Reported pay equity metrics (including gender pay gaps) externally	n/a	7.9	8.1	7.0
Conducted a gender-based job evaluation process	2.2	5.4	5.3	5.4

**Table 16:** Proportion of organisations by industry taking action after a pay gap analysis, expressed as a percentage

Industry	Reporting Period 2013-14	Reporting Period 2019-20	Reporting Period 2020-21	Reporting Period 2021-22
Electricity, Gas, Water and Waste Services	47.1	84.4	85.3	85.7
Information Media and Telecommunications	48.6	68.1	70.5	72.0
Professional, Scientific and Technical Services	54.4	66.0	67.8	71.6
Financial and Insurance Services	69.9	69.5	64.6	70.1
Mining	44.3	67.3	74.7	66.0
Construction	64.6	59.3	61.3	62.5
Manufacturing	50.9	51.0	56.9	62.2
Wholesale Trade	44.1	52.8	58.9	61.0
Transport, Postal and Warehousing	48.5	47.4	55.9	59.8
Rental, Hiring and Real Estate Services	50.0	56.3	54.5	57.1
Retail Trade	38.9	34.2	48.4	54.5
Arts and Recreation Services	61.9	48.1	63.0	48.3
Administrative and Support Services	33.3	43.0	53.9	48.2
Agriculture, Forestry and Fishing	62.5	47.8	43.9	46.7
Accommodation and Food Services	24.1	44.3	40.6	42.3
Education and Training	35.5	43.2	41.8	39.4
Health Care and Social Assistance	47.4	37.1	32.5	35.3
Public Administration and Safety	66.7	37.5	60.9	35.0
Other Services	44.8	46.9	58.2	34.5
<b>Total</b>	<b>46.0</b>	<b>54.4</b>	<b>56</b>	<b>57.8</b>

### Progress summary

Progress in closing the overall gender pay gap as well as the gender pay gaps across industries and occupations has stagnated over the last two reporting periods. While the factors contributing to the gender pay gap are varied and complex, the Agency's dataset also indicates that employer action on addressing the gender pay gap has stalled over the period. Since 2019-20, the proportion of employers that took action as a result of conducting a gender pay gap analysis has increased by 3.4 percentage points. However, still nearly 70% of employers are either not conducting an analysis, or not taking action as a result.

## **GEI4 - Availability and utility of employment terms, conditions and practices relating to flexible working arrangements for employees and to working arrangements supporting employees with family or caring responsibilities**

The data collected in relation to GEI4 shows the availability and types of flexible working arrangements offered, as well as employer support for employees with family and caring responsibilities. This indicator allows the Agency to report on specific flexible working arrangements that are in place by gender and level of seniority. Information relating to the availability and use of paid parental leave and support for employees experiencing family or domestic violence is also reported against this indicator.

Progress in this area has been varied. The COVID-19 pandemic forced many employers to quickly adjust working arrangements and introduce broad flexibility policies which saw benefits for many employees – men and women – and have stayed in place since. However, the data does not show significant gains in other key areas.

### **Flexible working**

When COVID-19 forced many employers to adjust their working environments, either by transitioning to an all staff work from home policy or scaled down shifts, many employers and employees reaped the benefits of a more flexible working environment. In addition to formal policies and strategies, many employers also have informal flexible work policies. WGEA's data over the last two reporting periods shows that many employers adopted formal policies and/or strategies to keep those policies in place for the future. Since 2019-20, it has increased another 6.1 percentage points. Since the first year of full reporting in 2013-14, it has increased by 24.5 percentage points.

- In 2019-20 – 75.9%
- In 2020-21 – 78.6%
- In 2021-22 – 82.0%

Table 16 shows the proportion of organisations that offer access to flexible working arrangements to some or all employee groups. The table indicates that employees have access to a range of different formal flexible working arrangements.

The increase in the proportion of organisations offering work from home solutions for employees also shows the impact of the COVID-19 pandemic on the workplace. Since 2019-20, which was the last employer reporting period prior to the onset of the COVID-19 pandemic, the proportion of employers offering work from home increased 26.5 percentage points. The proportion of organisations offering work from home has also increased the most since employer reporting began in 2013-14, increasing 42.4 percentage points between 2013-14 and 2021-22.

**Table 17:** Proportion of employers offering flexible work, by type of flexible work, expressed as a percentage

<b>Types of Flexible Work Offered</b>	<b>Reporting Period 2013-14</b>	<b>Reporting Period 2019-20</b>	<b>Reporting Period 2020-21</b>	<b>Reporting Period 2021-22</b>
Carer's leave	92.7	93.1	95.1	95.8
Part-time work	81.1	85.3	86.1	88.0
Unpaid leave	78.8	85.2	85.6	87.1
Flexible hours of work	na	66.9	69.9	73.5
Work from home	28.4	44.3	66.2	70.8
Time-in-lieu	50.9	55.4	57.3	60.2
Job sharing	41.5	45.6	49.4	51.7
Compressed working week	26.4	33.4	39.8	42.4
Purchased leave	27.8	35.6	38.0	38.0

## Parental leave and support for caring

Over the reporting period, the proportion of employers offering parental leave and providing support for carers has remained stable against most indicators. This includes the proportion of organisations with a policy and/or strategy in place to support employees with family or caring responsibilities as well as the proportion offering paid parental leave for secondary carers and the amount of carers leave offered to both primary and secondary carers.

The proportion of employers offering paid parental leave for primary carers has increased almost 10 percentage points since 2019-20 and employers offering paid parental leave without a distinction between primary and secondary carers has increased almost 5 percentage points, indicating that a small proportion of employers are moving towards more gender-neutral parental leave offerings.

**Table 18:** Initiatives to support employees with family or caring responsibilities

Initiatives	Reporting Period 2013-14	Reporting Period 2019-20	Reporting Period 2020-21	Reporting Period 2021-22
Policy and/or strategy to support employees with family or caring responsibilities	45.2%	68.6%	67.1%	68.7%
Offer paid parental leave for primary carers	48.5%	52.4%	60.2%	62.0%
Average weeks offered primary carers	10.7 weeks	10.9 weeks	10.8 weeks	11.1 weeks
Offer paid parental leave for secondary carers	38.8%	46.4%	42.3%	40.4%
Average weeks offered secondary carers	1.5 weeks	2.0 weeks	2.2 weeks	2.4 weeks
Offer paid parental leave without distinction between primary and secondary carers	n/a	n/a	10.0%	14.7%
Average weeks offered without distinction carers	n/a	n/a	9.8 weeks	10.5 weeks

Additionally, in 2021-22, 7.5% of women ceased employment whilst on parental leave compared to 1.7% of men.

The proportion of women (out of all women on parental leave) who ceased employment whilst on parental leave:

- in 2019-20 – 7.1%
- in 2020-21 – 5.7%
- in 2021-22 – 7.5%

The proportion of men (out of all men on parental leave) who ceased employment whilst on parental leave:

- in 2019-20 – 1.3%
- in 2020-21 – 0.9%
- in 2021-22 – 1.7%

The data in Tables 18 and 19 show the proportion of women and men accessing paid parental leave. While more men, especially men who are managers, have taken paid parental leave for primary carer's since 2019-20, it remains well below the proportion of women taking primary carers leave. The data reflects the persistent gender norms around care, with more women taking primary carer's leave and more men taking secondary carer's leave.

**Table 19:** Proportion of paid primary parental leave taken, expressed as a percentage, by role

Gender	Roles	Reporting Period 2019-20	Reporting Period 2020-21	Reporting Period 2021-22
Women	Manager	85.6	82.0	78.0
	Non-manager	93.3	90.9	89.3
	All	92.3	89.7	87.8
Men	Manager	14.4	18.0	22.0
	Non-manager	6.7	9.1	10.6
	All	7.7	10.3	12.2

**Table 20:** Proportion of paid secondary parental leave taken, expressed as a percentage, by role

Gender	Roles	Reporting Period 2019-20	Reporting Period 2020-21	Reporting Period 2021-22
Women	Manager	4.4	3.2	2.9
	Non-manager	3.2	4.6	4.0
	All	3.5	4.3	3.8
Men	Manager	95.6	96.8	97.1
	Non-manager	96.8	95.4	96.0
	All	96.5	95.7	96.2

Employers also provide other measures to support employees with family or caring responsibilities. Employer uptake has not increased in many of these initiatives, such as childcare referral services and on-site childcare.

However, since the time of the last progress report, more employers are offering targeted communication mechanisms and coaching for employees returning to work from paid parental leave. Although the proportion of employers offering breastfeeding facilities has remained stable over the period of this report, it has increased by 25.1 percentage points since the first year of employer reporting to WGEA.

**Table 21:** Non-leave based measures to support employees with family or caring responsibilities, expressed as a percentage

Initiatives	Reporting Period 2013-14	Reporting Period 2019-20	Reporting Period 2020-21	Reporting Period 2021-22
Breastfeeding facilities	45.2	72.0	69.7	70.3
Referral services to support employees with family and/or caring responsibilities	43.8	53.0	55.8	57.0
Targeted communication mechanisms (e.g. intranet/forums)	28.8	32.7	51.9	54.0
Coaching for employees returning to work from paid parental leave	n/a	27.9	38.8	40.7
Information packs for new parents and/or those with elder care responsibilities	17.6	20.5	19.6	20.0
Childcare referral services	9.3	10.3	9.7	9.9
Support in securing school holiday care	n/a	10.9	9.8	9.6
On-site childcare	9.0	10.4	9.0	8.9
Parenting workshop targeting mothers	n/a	7.8	7.0	8.0
Parenting workshops targeting fathers	n/a	7.1	6.7	7.7
Employer subsidised childcare	6.0	7.6	6.7	7.0
Internal support networks for parents	14.5	23.3	28.7	30.2
Return to work bonus	9.4	6.6	5.9	5.6

## New data on parental leave

Beginning in 2020-21, employers were asked whether they pay superannuation on parental leave. This is important given that women are more likely than men to take time out of the workforce to care for children which contributes to women retiring with less superannuation than men. The majority of employers pay superannuation while employees are on parental leave.

**Table 22:** Proportion of organisations paying superannuation on paid parental leave, expressed as a percentage

Type of employer-funded parental leave	Reporting Period 2020-21	Reporting Period 2021-22
Primary carer's leave	80.9	81.4
Secondary carer's leave	71.7	72.8
No distinction between primary and secondary carers	79.8	81.1

Beginning in 2021-22, employers were asked about certain parameters related to employees taking employer-funded parental leave. These included whether employers have an eligibility period (meaning an employee must work for the employer for a certain amount of time before taking employer-funded parental leave) and whether the employee must take the leave within a certain time period after the birth, adoption, surrogacy and/or stillbirth of the child.

Most employers have an eligibility period before employees can access employer-funded parental leave. This disproportionately impacts women and their career mobility given that more women take paid primary carer's leave. Eligibility periods can inhibit an employees' career mobility and promotion opportunities and also reduce the talent pool for employer recruitment. Across employers, the average eligibility period for employer-funded parental leave is 12.1 months. Most employers also require employer-funded parental leave to be taken within a certain amount of time after the birth, adoption, surrogacy and/or stillbirth of the child. Across employers, 56% expect the leave to be taken within 12 months, 35% within six months, and 9% within 24 months.

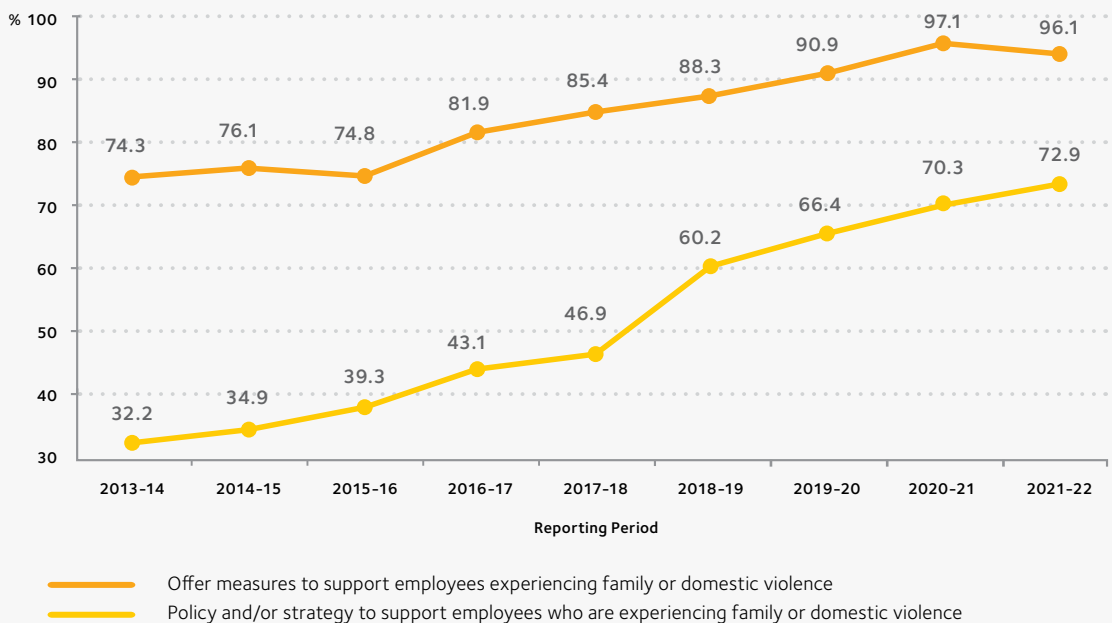
**Table 23:** Employer requirements related to employee access to parental leave, expressed as a percentage of employers responding 'yes'

Initiatives	Type of Employer-Funded Parental Leave	Reporting Period 2021-22
Qualifying period	Primary carer's leave	90
	Secondary carer's leave	83
	No distinction between primary and secondary carers	82
Must be taken within a certain amount of time	Primary carer's leave	78
	Secondary carer's leave	80
	No distinction between primary and secondary carers	74

### Support for employees experiencing family or domestic violence

Employer awareness of the need to support employees experiencing family or domestic violence has increased over the past two reporting periods. This is likely a result of increased awareness following the release of the Respect@Work: Sexual Harassment National Inquiry Report in 2020. In 2021-22, almost three quarters (72.9%) of employers reported having a formal policy and/or strategy to support employees experiencing family or domestic violence, an increase of 6.5 percentage points since 2019-20 and 40.7 percentage points since 2013-14. Almost all organisations offer some measures to support employees experiencing family or domestic violence. This has increased steadily since employer reporting to WGEA began.

**Chart 3:** Support for employees experiencing family or domestic violence, expressed as a percentage





The proportion of employers offering measures to support employees who have experienced family or domestic violence has increased since reporting on the issue began. In 2021-22, most employers offered confidentiality of matters disclosed, flexible working arrangements, access to unpaid leave, employee assistance programs or an employee assistance program, protection from any adverse action or discrimination based on the disclosure of domestic violence, and referral of employees to appropriate domestic violence support services for expert advice.

There also has been significant growth in the proportion of employers offering training of key personnel, workplace safety planning, access to unpaid domestic violence leave in an enterprise/workplace agreement, provision of financial support, offering change of office location, emergency accommodation assistance, and access to medical services.

**Table 24:** Measures to support employees who have experienced family or domestic violence, expressed as a percentage

Measures	Reporting Period 2013-14	Reporting Period 2019-20	Reporting Period 2020-21	Reporting Period 2021-22
Confidentiality of matters disclosed	n/a	73.7	95.7	95.9
Flexible working arrangements	n/a	78.3	94.8	95.8
Access to unpaid leave	n/a	78.3	97.1	92.6
Employee assistance program	63.4	82.3	90.5	91.5
Protection from any adverse action or discrimination based on the disclosure of domestic violence	n/a	48.8	87.9	91.1
Referral of employees to appropriate domestic violence support services for expert advice	n/a	52.5	77.7	82.2
Offer change of office location	n/a	32.7	58.2	63.2
Workplace safety planning	n/a	22.1	51.6	57.2
Access to unpaid domestic violence leave (contained in an enterprise/workplace agreement)	n/a	32.7	59.2	56.1
Provision of financial support (e.g. advance bonus payment or advanced pay)	n/a	24.8	46.4	50.3
Domestic violence clause is in an enterprise agreement or workplace agreement	n/a	43.6	43.5	47.4
Access to medical services (e.g. doctor or nurse)	n/a	19.7	40.5	44.4
Training of key personnel	12.5	22.0	40.6	43.4
Access to paid domestic violence leave (not contained in an enterprise/workplace agreement)	n/a	22.2	38.2	33.7
Access to paid domestic violence leave (contained in an enterprise/workplace agreement)	n/a	20.9	32.4	30.4
Emergency accommodation assistance	n/a	10.7	23.1	25.4

In 2021-22, employers were also asked how many days of domestic violence leave is provided to employees (both paid and unpaid). The data shows there is still progress to be made on employers providing leave, particularly paid leave, with only 27% of employers providing access to paid leave. Recent changes to the *Fair Work Act 2009* (Cth) entitle all employees of employers with 15 or more employees to 10 days of paid family domestic violence leave.

### Progress summary

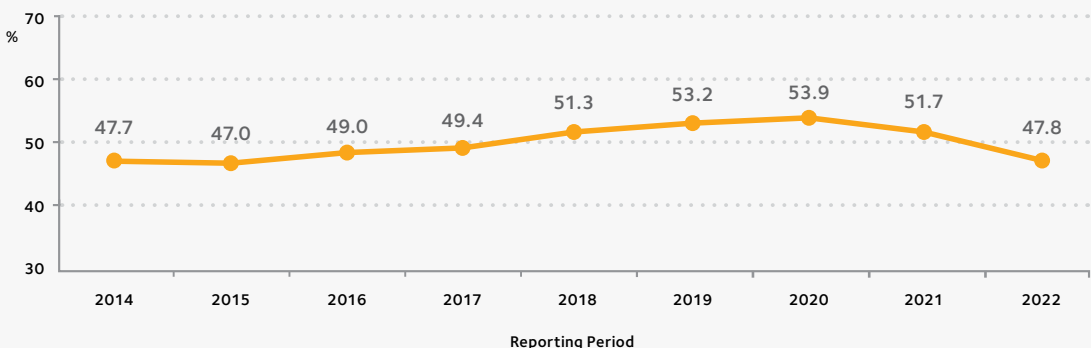
The key change under GEI4 has been the fundamental shift in the way Australians work due to the COVID-19 pandemic. While workplace flexibility has become the norm, employers need to ensure it continues to benefit all employees. While employer progress on paid parental leave is generally positive, change is slow over the period of this report, indicating gender norms related to caring have not changed. This is further demonstrated by the higher proportion of women who take primary carer's leave and quit while on parental leave. The proportion of employers providing support to employees experiencing family or domestic violence has remained high over the period and has increased significantly since employers first reported this data. The changes to the *Fair Work Act 2009* that support family and domestic violence leave highlight the importance of progress in this area.

## GEI5 – Progress towards employee consultation

The proportion of employers consulting with employees on issues concerning gender equality in the workplace has remained unchanged since employer reporting to WGEA began. Approximately 50% of employers consult employees on issues concerning gender equality in the workplace. Over the period of this report, the proportion of employers consulting with their employees has fallen by about 6 percentage points (see Chart 3).

In 2022 reporting WGEA asked employers, for the first time, whether they have a formal policy and/or strategy on consulting employees about gender equality. Most employers do not have a formal policy and/or strategy, with only 30% of employers reporting that they have one.

**Chart 4:** Proportion of organisations that consult employees on issues concerning gender equality in the workplace, expressed as a percentage



Of those employers who have consulted with employees on gender equality issues, the majority (more than 70%) consult with all staff and this has remained consistent over time. Over the period of this reporting as well as since reporting in 2013-14, a larger proportion of employers are now also consulting management, human resources managers, employee representative groups, and diversity committees or the equivalent, but this group of organisations is still less than a quarter of reporting organisations.

**Table 25:** Categories of employees consulted, expressed as a percentage of organisations

Categories of Employees	Reporting Period 2013-14	Reporting Period 2019-20	Reporting Period 2020-21	Reporting Period 2021-22
All staff	74.6	71.5	71.8	73.3
Management	10.3	15.4	13.6	22.1
Employee representative group	8.5	12.1	11.3	18.3
Diversity committee or equivalent	4.9	8.1	10.3	18.1
Human resources managers	6.5	11.9	10.0	17.0
Other	8.8	10.5	9.2	10.6
Employees who resigned while on parental leave	n/a	2.0	1.5	3.6
Women only	2.8	0.9	1.3	3.1
Men only	0.0	0.0	n/a	0.6

The data shows some change in the methods of employee consultation over the period of this report. Of employers consulting with employees on issues of gender equality, there has been an increase by 16.8 percentage points in the proportion of employers consulting during performance discussion. At the same time, the proportion of employers consulting on gender equality issues during exit interviews has fallen 21.7 percentage points.

**Table 26:** Methods of employee consultation, expressed as percentage of organisations

Methods	Reporting Period 2013-14	Reporting Period 2019-20	Reporting Period 2020-21	Reporting Period 2021-22
Consultative committee or group	36.8	45.1	44.4	57.8
Performance discussions	31.5	33.8	29.7	50.6
Survey	43.2	52.4	54.1	44.6
Exit interview	43.4	51.8	46.6	30.1
Other	33.8	32.4	24.5	29.0
Focus groups	20.4	27.9	28.6	22.5

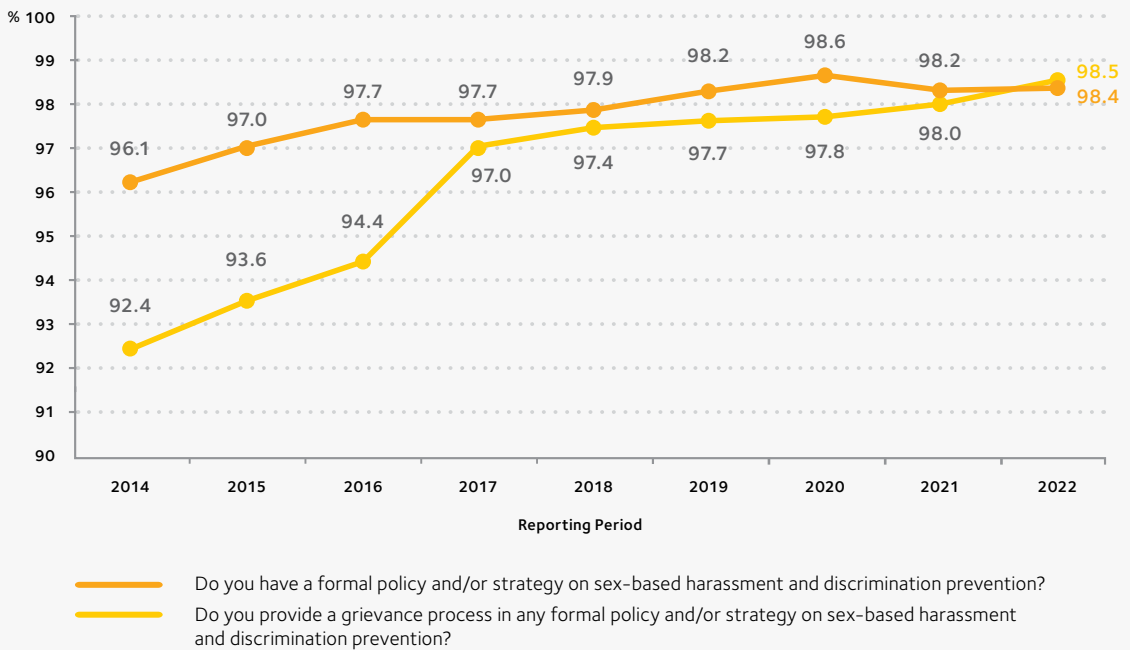
## Progress summary

Overall, employee consultation on issues concerning gender equality in the workplace remains underutilised. Consultation assists organisations in understanding employees' needs and priorities for gender equality, in addition to generating ideas and solutions. But the data shows a small proportion of employers (30%) have a formal policy and/or strategy on consulting employees about gender equality.

## GEI6 – Progress towards the prevention of sex-based harassment and discrimination

Employers are required to report on policies and/ or strategies relating to sex-based harassment and discrimination prevention in the workplace through the Reporting Questionnaire. The proportion of organisations with a formal policy and/ or strategy on sex-based harassment and discrimination prevention has been high since reporting to WGEA began. Over 98% of employers reported having a formal policy and/ or strategy on sex-based harassment and discrimination in the last two reporting periods. In addition, 98% or more of employers also reported a grievance process was included in their formal policy and/ or strategy on sex-based harassment and discrimination.

**Chart 5:** Percentage of organisations with a formal policy and/ or strategy on sex-based harassment and discrimination prevention

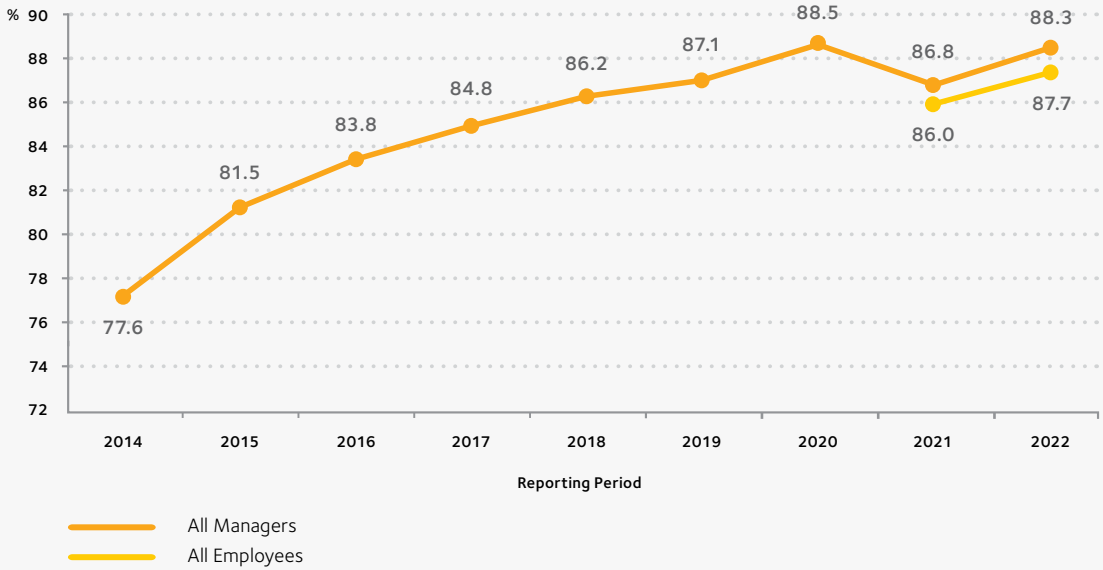


The SD Act, as well as applicable state-based and territory-based anti-discrimination and equal opportunity legislation, sets out what constitutes unlawful sex discrimination. These contribute to a high level of awareness about the risks of sex-based harassment and discrimination. This, in turn, likely contributes to most organisations having policies and/ or strategies relating to sex-based harassment and discrimination that pre-date requirements under the Act, and thus the high compliance rate.

Organisations are also required to indicate whether training on sex-based harassment and discrimination prevention is provided to all managers. The percentage of organisations that provided such training has remained high over the period. After steadily increasing between 2013-14 and 2019-20, the proportion of employers providing training to managers has remained relatively static.

Beginning in 2020-21, WGEA asked employers whether they provide training on sex-based harassment and discrimination prevention to all staff. A large proportion of organisations provide training to all staff on sex-based harassment and discrimination prevention, in addition to their managers.

**Chart 6:** Percentage of organisations that provide training on sex-based harassment and discrimination, 2013-14 to 2021-22



## Progress summary

The majority of employers have a formal policy and/or strategy on sex-based harassment and discrimination prevention and provide training to managers and staff on sex-based harassment and discrimination prevention. Overall, this has remained high over the period of this report and since reporting to WGEA began. This can likely be attributed, in part, to the SD Act and applicable state-based and territory-based anti-discrimination and equal opportunity legislation, which have increased employer awareness about the risks of sex-based harassment and discrimination in the workplace.

As further detailed in the section on the future of gender equality reporting in Australia below, Recommendation 42 from the Respect@Work Report charged the Agency to work with the Respect@Work Council to consider how good practice indicators for measuring and monitoring sexual harassment prevalence, prevention and response may apply to employer reporting under the Act. In line with the best practice indicators, WGEA will begin to expand its data collection against GEI6 in the next reporting period (2022-23).

# The future of gender equality reporting in Australia: Review and reforms to accelerate the rate of change

The Agency's dataset shows a clear picture of the state of workplace gender equality in Australia. Since reporting to the Agency began, employers have shown improvements against most reporting metrics. However, in recent years, that progress has started to slow, and in some areas has stagnated. The gender pay gap has remained unchanged in the last 12 months.

Over the period of this report, several review and reform processes have been initiated aimed at driving action and accelerating the rate of change for workplace gender equality in Australia. This work is informed by, and builds on, the Agency's engagement with employers since the passage of the Act, and includes:

1. the Review of the Act and working with Federal Government to implement the recommendations from the Review
2. implementation of the Respect@Work Reporting recommendations.

## **Review of the Act**

In 2021, the Australian Government initiated a targeted review of the *Workplace Gender Equality Act 2012*. Given it had been 10 years since the passage of the Act, the Review set out to enhance the legislation, ensure it remained relevant and fit for future reporting, and reduce the regulatory burden on relevant employers.

The Review included stakeholder roundtables and the opportunity for interested parties to make written submissions. WGEA made a submission to the Review, which included 31 recommendations aimed at improving the reporting experience, expanding the breadth of the WGEA dataset, and importantly, accelerating the rate of change in workplace gender equality in Australia.

In March 2022, the Government released the Review report which included 10 recommendations. In August 2022, these were all accepted by the Government. Many of the recommendations emerging from the Review aligned with WGEA's submission. They are:

1. Make it easier for employers to report to WGEA and improve collection and sharing of gender data
2. Publish organisation gender pay gaps to accelerate action to close them
3. Bridge the 'action gap' with new gender equality standards
4. Reduce the regulatory burden on employers
5. Support Respect@Work implementation to prevent and address workplace sex-based harassment and discrimination
6. Research the best way to collect diversity data
7. Refine the gender equality indicators
8. Strengthen compliance and enforcement
9. Set WGEA up for future success to support employers to drive gender equality in Australian workplaces
10. Review the Act in five years from the date any legislative changes commence

Many of the recommendations require legislative amendment. The Office for Women in the Department of Prime Minister and Cabinet has driven the process for legislative change, and WGEA has engaged with them and provided support as appropriate and when requested.

The *Workplace Gender Equality Amendment (Closing the Gender Pay Gap) Bill 2023* and remade Legislative Instruments, the *Workplace Gender Equality (Matters in relation to Gender Equality Indicators) Instrument 2023* and *Workplace Gender Equality (Gender Equality Standards) Instrument 2023*, were introduced into Parliament on 8 February 2023. The Bill and accompanying Legislative Instruments fulfil almost all of the recommendations requiring legislative amendment in the Review. WGEA will continue to work with the Government to address the outstanding recommendations.

The information below provides more detail on the status of each recommendation from the Review as at the date of publication of this report, highlighting WGEA's role in implementation.

## **Recommendation 1**

Recommendation 1 aims to improve processes for reporting and collecting data on gender equality. The Government established the Gender Data Steering Group in October 2022. The Gender Data Steering Group is charged with maximising the use and impact of the data the Government collects as an evidence base for gender equality policy and strategy. This includes the collection and use of WGEA data.

## **Recommendation 2**

Recommendation 2 increases employer accountability for their gender pay gaps by making individual employer gender pay gaps a part of WGEA's public dataset. Previously, employer gender pay gaps have been confidential.

Pending passing of the Bill, the Agency anticipates publication of employer-level gender pay gaps by mean, median, and employee salary quartile. This will commence in 2024. The gender pay gaps will be housed on WGEA's publicly available and searchable online Data Explorer, where users can access a wide range of information on employer's gender equality policies. Employers will have the opportunity to provide some narrative alongside their gender pay gaps to give context on what actions they are taking to reduce their gender pay gaps. The Agency will work closely with employers in the lead up to the publication of gender pay gaps to help them prepare for the changes.

## **Recommendation 3**

Recommendation 3 sets a vision for new gender equality standards that will require employers with 500 or more employees to take action. This is necessary given that WGEA's dataset shows the minimum standards set out in the Minimum Standards Legislative Instrument – requiring employers to have one policy and/or strategy in place to support at least one GEI outlined in the Instrument – did not challenge employers. Almost all employers in WGEA's dataset met the minimum standards in the period of this report.

Under the new gender equality standards, employers with 500 or more employees will be required to have formal policies and/or strategies against all six GEIs. This will commence in 2024.

Recommendation 3 also articulated that the gender equality standards require employers to set three

measurable, genuine, and time-bound targets against the GEIs. If legislated, employers will report on progress against these targets to WGEA through their annual gender equality reports. Once employers meet a target, they will set another target so as to maintain three gender equality targets. In this way, the new gender equality standards encourage employers to analyse and consider their organisation's performance on gender equality and implement strategies and actions for improvement.

In 2021–22 reporting, WGEA asked employers a voluntary question on target setting. 53% of employers responded that they have set some form of target on gender equality. Of these, over half set a target to increase the number of women in leadership positions.

Once reporting on progress and the achievement of targets becomes mandatory for large employers reporting to WGEA, the Agency will support employers to make the shift to an action-oriented approach. This includes growing WGEA's suite of resources and educational material on target setting and providing capacity building support.

## **Recommendation 4**

Recommendation 4 aims to reduce and ease some reporting requirements for employers. This includes removing the requirement to report on managerial distance from the Chief Executive Officer or equivalent (which was enacted for reporting in 2022); having employers report on employees' actual earnings and number of hours worked instead of providing an annualised full-time equivalent remuneration for each employee; and asking employers for the number, instead of the proportion, of employees with access to employer-funded parental leave and who ceased employment during or at the end of such leave.

WGEA provided additional detail on the impact of these new reporting requirements to enable legislative change and will update its guidance to facilitate employer reporting as reporting requirements come into effect in 2024.

## **Recommendation 5**

Recommendation 5 articulates that WGEA will support the implementation of findings and recommendations from the Respect@Work Report. The Respect@Work report noted that formal requirements for public reporting in the area of sexual harassment and discrimination, including reporting to WGEA, are not robust<sup>9</sup>. This is further detailed in the sub-section below titled Respect@Work.

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<sup>9</sup> Australian Human Rights Commission (2020), Respect@Work: National Inquiry into Sexual Harassment in Australian Workplaces, viewed 6 February 2023, available: <https://humanrights.gov.au/our-work/sex-discrimination/publications/respectwork-sexual-harassment-national-inquiry-report-2020>.

## **Recommendation 6**

Recommendation 6 charges the Agency with investigating the best way to collect diversity data, particularly with respect to Aboriginal and Torres Strait Islander background, cultural and linguistic diversity, and disability, as they intersect with gender.

WGEA has been consulting with national and international stakeholders on approaches to data collection related to diversity. In addition, in the 2021–22 Employer Census WGEA asked employers voluntary questions related to diversity, including questions related to aggregate data collection on employees who identify as Aboriginal and/or Torres Strait Islander. WGEA has also engaged the National Indigenous Australians Agency (NIAA) on how this data can assist in delivering on the Government’s commitment to work with Australia’s largest 200 employers on publicly reporting the proportion of First Nations employees.

The voluntary data collection from 2021–22 will be replicated and expanded for 2022–23 reporting to include other employee diversity data and diversity within organisations’ governing bodies.

## **Recommendation 7**

Recommendation 7 aims to refine the data collected against the GEIs to ensure WGEA’s data set maintains its relevance to workplace gender equality and eases the reporting burden for employers

### **Recommendation 7.1**

Under recommendation 7.1, some data points, such as employee year of birth and primary work location, which have been voluntary data points for employers, will become mandatory with the legislative changes. Anticipated changes to the legislation will also require employers to report on whether they pay superannuation on parental leave as well as report CEO remuneration, which will be included in employer-level gender pay gap calculations.

WGEA will update its guidance to facilitate employer reporting. In relation to the reporting of CEO remuneration, WGEA will reinforce that individual remuneration data is confidential, and that the inclusion of CEO remuneration is important to provide an accurate picture of the gender pay gap within an employer’s workforce.

### **Recommendation 7.2**

Recommendation 7.2 asks that the Act and associated Legislative instruments be amended in line with the ABS 2020 Standard for Sex, Gender, Variations of Sex Characteristics and Sexual Orientation Variables, to enable WGEA to collect data on people identifying as non-binary. This recommendation recognises that binary gender terms

(i.e. woman and man) do not reflect how all individuals interact with and experience issues of gender equality in the workplace, and the WGEA dataset should reflect this.

While employers are required to report on the relative positions of women and men in their workplaces under the Act, WGEA has also provided employers the option to report employee gender as non-binary beginning in 2021.

In order to support employer education and readiness, WGEA will conduct research and consultation related to gender identity in the workplace and employer reporting to WGEA on employees identifying as non-binary. This research and consultation will be conducted in conjunction with Recommendation 6.

### **Recommendation 7.3**

Recommendation 7.3 lists several areas for refining and expanding the WGEA dataset. They are:

- require employers to report to WGEA on occupations and jobs at Australian and New Zealand Standard Classification of Occupations (ANZSCO) level 4 for non-managers
- include partnerships and partners in the WGEA dataset more comprehensively than they are currently
- make it mandatory for relevant employers to report on data as it relates to individual entities within corporate structures, not as it relates to the group hierarchy.

Related to the recommendation, the WGEA Review also noted other opportunities for improvement. They included:

1. requiring employers to report against one ‘snapshot’ date in order to enhance the comparability of WGEA’s data
2. WGEA specifying the mechanism that employers use for reporting to WGEA in order to ensure employers receive timely insights from the data.

In 2022, the Department of Prime Minister and Cabinet commenced consultation on reporting non-manager data at ANZSCO level 4, additional reporting on partners and partnerships, individual entity reporting, and employer reporting against one ‘snapshot’ date.

Additional work and employer consultation are necessary before employers would be ready to report data on partners and partnerships and report against one ‘snapshot’ date. In addition, the ABS is currently conducting a review of the ANZSCO codes and any implementation of the recommendation would be better placed following that review.

As outlined in WGEA’s submission to the Review of the Act, these inclusions into employer reporting would enhance the value of the WGEA dataset. Reporting on non-manager data at ANZSCO level 4 and on partners and partnerships would provide additional insights into occupational



segregation in Australia, which is a key contributor to the gender pay gap. Employer reporting against a single snapshot date and providing WGEA the authority to name the mechanism for employer reporting contributes to data comparability, timely analysis, and data insights.

## **Recommendation 8**

Recommendation 8 aims to strengthen the requirements to comply with the Act in order for employers to be eligible for Commonwealth grants and procurement. The Office for Women will review the Workplace Gender Equality Procurement Principles and look at grant administration as a way to strengthen compliance. WGEA will provide support and insights into the mechanisms for procurement and grant eligibility.

## **Recommendation 9**

Recommendation 9 is focused on setting up WGEA for future success. This includes the review of WGEA's Employer of Choice for Gender Equality (EOCGE) citation to improve its effectiveness as a citation and incentive for more employers to progress gender equality in their workplaces. This recommendation also charges the Agency with improving the way it supports employers by: reviewing the reports it provides to employers, improving the functionality of WGEA's digital reporting platform, and strengthening its capacity to assist employers to bridge their action gaps.

WGEA has made progress in these areas. WGEA has completed the review of the EOCGE citation and is redesigning the approach. WGEA has also made substantial investments in the reporting platform to improve functionality and is revising the reports provided to employers. In 2021, a new Capacity Building Team was established within WGEA to assist employers to bridge their action gap, meet the new standards, and accelerate change in their workplaces.

WGEA is also developing plans for communicating and working with employers on changes to the Act. For instance, many of the recommendations – such as those on gender pay gap transparency and target setting – present a shift to employer reporting requirements. WGEA will work with employers to use these changes as an opportunity to drive change.

In addition, from 2022–23, the Government allocated \$17.5 million in funding over four years to the Agency to implement the recommendations from the Review of the Act.

## **Recommendation 10**

Recommendation 10 suggests the effectiveness of the legislative amendments should be reviewed every five

years following commencement. This would create an opportunity to assess employer progress in achieving higher levels of gender equality in their workplaces.

# Respect@Work

The Federal Budget 2021–22 provided \$4.35 million over four years to strengthen WGEA's role in preventing workplace sexual harassment and to adapt its reporting and data management system for the public sector. This mandate emerges from the National Inquiry into Sexual Harassment in Australian Workplaces and its culminating report *A Roadmap for Respect: Preventing and Addressing Sexual Harassment in Australian Workplaces* (Respect@Work Report) which sets out recommendations to address workplace sexual harassment.

The WGEA Director is a member of the Respect@Work Council and has provided feedback on a range of recommendations under Respect@Work. WGEA has also promoted education tools and resources developed by the Respect@Work Council. There are also two recommendations that WGEA has direct responsibility for implementing.

## **Recommendation 42 – Good practice indicators**

Recommendation 5 of the Review of the Act acknowledges the impact of workplace sex-based harassment and discrimination on progressing gender equality and the separate piece of work taking place on this topic through Respect@Work.

Recommendation 42 in the Respect@Work Report charged the Agency to work with the Respect@Work Council to consider how good practice indicators for measuring and monitoring sexual harassment prevalence, prevention and response may apply to employer reporting under the Act.

The Respect@Work taskforce at the Attorney General's Department developed these good practice indicators, in consultation with WGEA, the Respect@Work Council and other stakeholders (Recommendation 46).

Under current employer reporting to WGEA, employers respond to three mandatory and one voluntary question related to workplace sex-based harassment and discrimination.

For the coming reporting period, and with the amended Legislative Instrument, WGEA will use the newly developed good practice indicators and apply them to WGEA reporting to measure and monitor sexual harassment prevalence, prevention, and response in the workplace. A voluntary iteration of these indicators will be included in the 2022–2023 reporting questionnaire.

## **Recommendation 43 – Public sector reporting to WGEA**

The Respect@Work Report also recommended amending the *Workplace Gender Equality Act 2012* to require public sector organisations to report to the Agency on gender equality indicators on a mandatory basis (Recommendation 43). With both the private and public sector reporting to WGEA, the WGEA dataset will provide a more comprehensive and accurate representation of the Australian workforce. In addition, public and private sector organisations will be able to benchmark performance against each other to better understand their progress against key metrics of gender equality, including addressing workplace sexual harassment.

### **Commonwealth public sector**

The Australian Government has committed to Recommendation 43 and ensuring that Commonwealth public sector organisations lead by example.

Throughout 2021 and 2022, WGEA has made preparations for mandatory reporting by the Commonwealth public sector. This included adapting the reporting and data management system for the public sector and working with the Australian Public Service Commission to align data and share APS workforce statistics where they are already collected by the APSC.

In 2021, WGEA held a limited pilot program, through which five Commonwealth public sector organisations and three state public sector organisations reported to the Agency using the same data collection processes and tools as non-public sector relevant employers. Based on the findings from the limited pilot, the Agency reviewed and updated the data collection tools, processes, educational materials and data outputs to meet the needs of Commonwealth public sector agencies.

In 2022, WGEA held a voluntary reporting pilot program for all interested Commonwealth public sector organisations. Out of a potential pool of 113 organisations with 100 or more employees, 52 organisations completed this pilot. The results of this pilot program will be published in 2023. The Agency is currently gathering feedback from the participating organisations. This feedback will inform any refinements and enhancements required for mandatory reporting.

In November 2022, the *Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Bill 2022* was passed. This includes amendments to the Act requiring all Commonwealth public sector employers with 100 or more employees to commence mandatory reporting to WGEA in 2023.

### **States and Territories reporting**

In December 2021, National Cabinet made an in-principle agreement that each jurisdiction would share their public sector workforce data with WGEA, consistent with the Federal Government. WGEA has met with each state and territory and engaged with the Public Sector Commissioners' Interjurisdictional Workforce Data Analytics Committee on their proposed common approach to gender equality data sharing. This sets out a minimum level of data that all states can provide WGEA and reflects a common set of aggregate data. WGEA is working directly with states who want to provide more detailed data, which to date includes Victoria, South Australia, Tasmania, Western Australia and New South Wales.

## **Conclusion**

Over the past 10 years, the *Workplace Gender Equality Act 2012* has provided a valuable framework for assessing and understanding trends in workplace gender equality in Australia. The Act established both a comprehensive, longitudinal dataset and the Workplace Gender Equality Agency as an authority on workplace gender equality.

At the same time, the data shows that, while employers have made progress in many areas since first reporting to WGEA, employer progress has slowed and even stagnated in some areas in recent years. For instance, there has been little change in employers taking action on the gender pay gap and the gender pay gap has remained the same for the last two reporting periods.

The Review of the Act has been well timed to address this action gap. The Review has identified several opportunities to enhance employer reporting and data analysis and, importantly, to drive action in workplaces that will improve gender equality outcomes in Australia. This includes making organisational gender pay gaps public, strengthening accountability and broadening the scope of gender equality reporting. With these reforms, the Act can reignite employer progress and drive positive change and action on workplace gender equality outcomes in Australia.



