



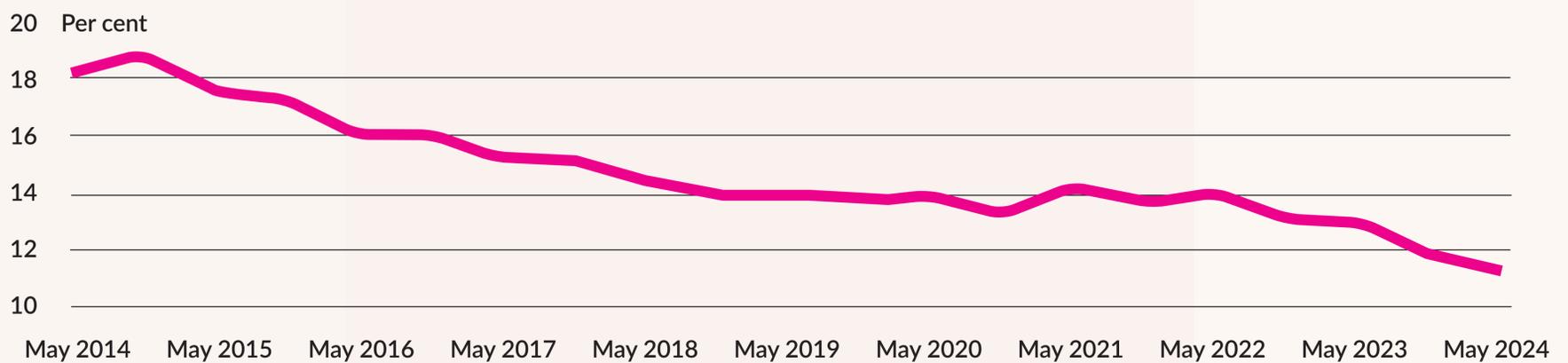
# EQUAL PAY

## Gender Pay Gaps

The term 'gender pay gap' refers to the 'difference in the earnings of men and women'.

The gender pay gap can be measured in different ways and in different workforce segments, giving rise to the notion of gender pay gaps (e.g. adult average weekly ordinary time earnings; adult average weekly full time earnings including overtime and bonuses, average weekly total earnings; hourly earnings, industry pay gap or occupation pay gap).

It is usually expressed either as a ratio of female to male wages (e.g. females earn 87 per cent of male wages) or the difference between male and female wages (e.g. 13 per cent).



The Gender Pay Gap data can also be disaggregated to identify industry-level pay gaps:





## Gender Undervaluation

In the 1912 Fruit-pickers Case Justice Higgins made four gendered assumptions:

1. The basic wage for any particular category or group of workers was dependent upon the predominant gender of the category or group.
2. Where the gender of the category or group was predominantly male, the basic wage was to be set according to the Harvester decision model of the cost of living which assumed the worker was a man with a dependent wife and children. This assumption was applied notwithstanding the doubtless existence of single men, or men without children, in this category. It was also applied to women in this predominantly male category in order to prevent women 'undercutting' men on the basis of lower wages.
3. Where the gender was predominantly female, the basic wage was to be set on the presumption that the worker had no dependants, irrespective of the actual position.
4. Regarding work itself, and the skills involved, as being gendered, so that certain types of work were suitable only, or more suitable, for men or for women.

The Aged Care Work Value Decision – Stage 3 examined the history of women's wages fixed by the industrial tribunals and concluded that:

- The initial wage-fixing model from 1907 to 1967 was, from the outset, affected by gender assumptions reflective of the social and economic norms of the time. In respect of the basic wage, discrimination between genders based on their perceived social roles was explicit. At this time, wages were fixed on the assumption that the typical worker was a male married with three children.
- The principle of 'equal pay for work of equal value' established by the National Wage and Equal Pay Cases 1972, which contemplated the conduct of broad-ranging work value inquiries including comparisons of work value between female classifications in awards covering female-dominated occupations with female or male classifications in different awards, was never properly implemented.
- The proposition that the C10 Metals Framework Alignment Approach constrained the proper work value assessment of female-dominated work by requiring, as at least the *prima facie* position, alignment with the classifications for male-dominated work in the Metal Industry Award based on a bare comparison of training qualifications.
- The failure to properly implement the C1 classification rate for employees requiring an undergraduate degree particularly disadvantaged female workers because women are more award-reliant than men, the proportion of female award reliance is at its largest at higher-paid award classifications, including those requiring undergraduate qualifications, and there is a considerable overlap between those awards containing classifications requiring an undergraduate degree and those applying to female-dominated industries.