Equal Pay

Women's Work — Undervalued, Underpaid

The phasing in of "equal pay for equal work" was completed in 1975. Still, almost 10 years later, women's average earnings are considerably lower than men's. Joyce Stevens looks at a range of factors which result in Australia's having the most sex segregated workforce of all the developed OECD countries, and offers a number of strategies for changing this inequitable situation.

Joyce Stevens

It's nearly ten years since the phasing in of equal pay was completed but the gap between male and female average earnings is still large and has hardly altered since 1976. There are no occupations in Australia, even female-dominated ones, where women earn, on the average, more than men.

Up until 1969 the Australian wage fixing tribunals operated on the belief that women should receive lower wages than men. The "Harvester judgment" of 1907, for the first time, guaranteed male workers a minimum wage but, in assuming that the "average employee" was male, married and with three children, it reinforced the sex segregation of the Australian workforce and guaranteed that women workers were grossly underpaid. Even at the time of this judgment, 45 percent of the male workforce were single, and 20 percent of the total workforce were women.

Although in 1912 the Arbitration Court acknowledged the need for women who were performing similar work to men and might, therefore, be in competition with them for jobs, to be paid equal rates, this did not happen. But the court's attitude did have the effect of further consolidating the notion of separate rates for women irrespective of productivity or need, and women's rates remained at around 54 percent of the male rate until their labour was needed for the war effort during the Second World War.

A concerted campaign by women in unions and sections of the women's movement, which commenced with the setting up of the Council of Action for Equal Pay by Muriel Heagney in 1937, finally bore fruit in 1972 when "equal pay" was phased in over a period of three years. But while, in theory, women have had equal pay since 1975, by the September 1982 quarter, women's total average earnings were only 66.4 percent of men's, with women receiving $221.80 per week and men receiving $333.70.

Using theoretical tools provided by the feminist movement, two recent studies have revealed many of the factors which contribute to these ongoing pay discrepancies. The first was published in August 1983 by the Women's Bureau of the Department of Employment and Industrial Relations on Gender Wage Differentials in Australia, and the second, a draft manual on equal pay by the Working Women's Centre of the ACTU, was published in February 1984. The manual both analyses the issues and develops, for union consideration, a number of possible strategies for attacking unequal pay.

Both studies point to the inter-relationship between a range of complex social and economic factors which rest on a sexual division of labour in public and private life. Today, Australia can boast the most sex segregated workforce of the developed OECD countries.

Sex Segregated Workforce

The most difficult problem to eliminate is the sex segregated nature of the workforce for it is chained, as it were, to other equally entrenched ideas and practices related to women's reproductive role and unpaid labour, notions of femininity...
and masculinity and the privatisation of the family and personal life under capitalism.

The sex segregated, or dual, labour force is reproduced both horizontally and vertically. That is, there are pay inequalities between traditional female and male occupations and within occupations where women and men are both employed. The appearance of women in a non-traditional occupation appears to be enough to downgrade its value or to at least create a new division of labour within it, with women clustered at the bottom of the ladder.

Technology can both deskill and hold or push women into depressed wage areas. This process and the close affinity between sex oppression and the formation of class in modern capitalism has been illustrated in Gender at Work by Game and Pringle.

It is not possible to fully understand this without considering the relationships that prevail when women perform their unpaid labour in the family. For many women, their status in paid work is a mirror image of what happens at home.

In those occupations where women and men both work, pay differentials are one measure of the sex segregation of work classifications. In the non-managerial sector, women's earnings range from 78.2 percent to 94.5 percent of men's, and in the managerial sector they are 73 percent. Though these are areas where women have most benefited from equal pay legislation because there has been a male rate to take as the norm, far greater promotional opportunities for men and reclassification of work processes keep a wage gap operating.

Often, the greater promotional opportunities for men are connected with relationships away from work. For example, women teachers in New South Wales have been disadvantaged in promotion because of the requirement for country service, and married women are readier to follow a husband into the country than vice versa.

Education and training also play a part, with many more women being unskilled or having followed tertiary education courses that are not technically oriented. Thus, in industries such as Esso-BHP where an affirmative action program has been in operation for some years, those small advances which have been made are primarily in the managerial sector. They have left untouched the vast majority of workers, both women and men, who come up against the impenetrable barrier of no tertiary education. Similar problems exist in the public service where the least skilled and most exploited women workers cluster in one or two divisions.

This gives rise to the following pay gaps: In May 1979, average weekly earnings for women in clerical work was $185.50 when it was $231.70 for men; in professional/technical $237.70 (women) and $275.10 (men); and manufacturing $160.70 (women) and $228.50 (men).

The largest pay differentials, however, arise from the traditional horizontal sex segregation of the workforce with 91 percent of employed women, by 1980, still working in only five occupational groupings. Often this problem is posed as one of changing women's own attitudes when women can't be found to respond to some sudden "enlightened" policy on the part of a corporation.

Certainly, many women have been conditioned to see themselves as nurses, secretaries and the like. However, the resistance that has existed for scores of years on the part of corporations as well as many unions and male workers has helped to form and sustain these attitudes.

Women entering male dominated areas have often had to stand alone against a sea of hostility and sexual harassment. In some places, such as the South Coast of NSW and Newcastle, where the closure of manufacturing industries led to successful campaigns to get women into the steelworks, these women have faced massive sackings. These experiences are not designed to give women any sense of security or belonging in new-found areas of work and today, the problem is how to break down divisions in a shrinking labour market.

No single policy can be suggested. Women need encouragement from the earliest days of schooling, quotas into jobs that don't isolate individual women, campaigns against sexual harassment, changes to work structures and conditions which take account of child bearing and parental
care. The whole community needs to break with cultural notions of masculinity and femininity which help sustain this sexual division of labour, and in the long term, everyone who wants it needs access to paid work.

**Comparable Worth**

A major breakthrough in the area of pay was made towards the end of last year in the United States when the American Federation of State, County and Municipal Employees won a claim for comparable worth in the Washington District Court. Proceeding from the view that women's traditional work areas had been undervalued and that this contravened women's equal rights, the union compared secretaries' work with that of truck drivers.

The judge found that the state of Washington had been guilty of "direct, overt and institutional discrimination" against nearly 15,000 employees, most of them women. He awarded them increases of 31 percent in their pay rates — around $500 per month. Although there is now a legal challenge to this decision, the case has set an important precedent and has already led to a number of instances where unions have been able to renegotiate wage rates for women workers. The detailed processes in the US case have no significance for us because of different laws and their system of collective bargaining.

Various systems also exist for establishing comparable worth but they are generally based on a comparison of skills, effort, responsibility and working conditions. The actual preparation of such a case, however, is lengthy and requires considerable research and study. The US case took over nine years to prepare and argue and was eventually taken to court. It is also important to note that rarely are such breakthroughs made because the claim is just. They also require considerable organisation, and industrial and political strength.

It is not difficult to see, even at first glance, the justice of the notion of comparable worth if applied to a number of sex segregated work areas in Australia. For example, a nurse with a high level of responsibility, often heavy and onerous duties, after three years of general nursing training earns $304.80 and, after five years $351.20. On the other hand, a four-year trained carpenter earns $369.98 (nearly $30 of which is tax free) and may, on a construction site, get a site allowance as well. Perhaps it would be even fairer to compare nurses with some other sections of the medical profession itself, particularly as it is shortly to become a tertiary trained occupation, or, say, with males in the professional/technical group where the median wage in August 1981 was $506.50.

The only attempt so far to secure a re-evaluation of women's traditional work in Australia didn't get far. Taken up during the 1983 National Wage Case by the National Council of Women, Women's Electoral Lobby and the Union of Australian Women, the court ruled that such a request did not conform to the current principles of centralised wage fixing.

There are some moves through the ACTU to expand the wage fixing guidelines when they are renegotiated next year. However, given the difficulties involved in this, other possibilities need to be considered.

Opinions vary as to whether the federal Anti-Discrimination Act could aid an attempt to establish comparable worth, though it might be used where inequities exist in loadings or overtime. In a recent Tribune interview (22 August, 1984), Lecturer in Law, Margaret Thornton, who has specialised in anti-discrimination legislation, pointed out that such legislation exempts wage setting and even over-award payments. The new federal legislation in Section 40 says: "Nothing in division 1 and 2 (dealing with employment etc.) affects anything done by a person in direct compliance with ... an order or award of a court or tribunal having power to fix minimum wages and other terms and conditions of employment."

Margaret also points out that there are not only legal, but also political considerations in respect to anti-discrimination legislation. Clearly, the Conciliation and Arbitration Commission and other wage setting tribunals do not want a body like the Human Rights Commission (which administers anti-discrimination legislation) interfering in the issue of wages.

She also suggests that use of anti-discrimination legislation in this area would evoke considerable hostility from the ACTU and Labor Councils. In the area of traditional wage fixing, the 1972 equal pay for equal work decision seems to offer some possibilities for pursuing comparable worth claims.

The issue here, of course, is whether unions and their peak councils will be prepared to upset traditional wage differentials and whether male conservatism and often hostility to the interests of women workers will stand in the way of any attempts to bring about change. The ACTU Working
Women's Centre Manual on Equal Pay, at present circulating among unions for their opinion, is an important initiative in the right direction. It could help to spearhead a new stage in the attack on women's unequal pay rates if it has sufficient active backing from women and progressive unions.

The way in which comparable worth claims are developed is also important. Many women workers have little industrial strength and most are poorly represented in union forums. Many of these are at the bottom of even female pay structures and could be easily overlooked. A claim arising from the equal pay for equal work decision, if it can be developed into a class action on behalf of all women workers, would seem to be beneficial but, even so, would probably need to start with a given area of work and proceed from there as a test case.

Part-time Work

Another major factor in the lower wages received by women is the amount of part-time and casual work that they perform. Between 1972 and 1979, three out of every five new jobs created were part-time. Full-time work fell by 41,000 jobs while part-time increased by over 176,000 (1970-1977). Two and a half out every three part-time jobs were filled by women and 40 percent of all women in the workforce were part-time workers, and this trend continues. (Discussion paper for ALP Conference, June 1980.)

The three main reasons why women do part-time work is lack of diverse forms of child care; the unavailability of full-time work (though many prefer part-time); and the fact that many women believe that they should shoulder the main responsibility for housework and child rearing, or they are unable to change this situation.

Of course, part-time work carries with it part-time pay which increases women's dependency on men. This is also happening at a time when technology is reducing the number of jobs overall and, despite labour movement and Labor government agreements through the Accord to maintain living standards, this rapid growth of part-time work is an unacknowledged reduction of work hours for many women and girls with an equivalent reduction in pay. The growth of part-time work is most prevalent in high female employment areas such as clerical, nursing, teaching, sales and service work.

In Australia and elsewhere, this part-time restructuring of the workforce is taking place without any equivalent union response to force a general reduction in the work week, or to maintain the living standards of the women so employed. The very nature of part-time and casual work also makes it more difficult for these workers to organise industrially around their own conditions.

The point is not to launch an all-out attack on part-time work, but to change the attitude that because part-timers are mainly women they are not real workers. We need to develop strategies which can push the part-time wage towards the full-time rate and the hours of full-time workers towards those of part-time employees, ensuring permanency, loadings, and pro-rata benefits for part-time workers.

Unfortunately, in recent negotiations with health workers, the NSW state Labor government wanted to trade off penalty rates for casual and part-time workers against a 38-hour week. In some areas, such trade-offs have taken place and reveal a very superficial understanding of how to defend living standards and jobs, as well as disregard for many women's work conditions.

While suggestions have been advanced for the setting of a ceiling on the number of part-time workers beyond which there should be an automatic reduction in general work hours, such ideas have not been taken seriously by the left or labour movements. (For a lengthier discussion see "Part-Time Work and Women" by Phillipa Hall, Scarlet Woman, No. 18.)

Access to diverse and flexible forms of child care, particularly in the areas where women are employed, has also been shown to play a crucial role in women's work patterns. (See "Working Women in the Sydney Region and Child Care", April 1983, for Children's Services.) A lower percentage of women in paid work and lack of child care coincide. The choice of part-time or casual work is also influenced by the provision of these and other services.

The social wage and taxation policies could be utilised to put pre-school and vacation care on the same footing as general education, i.e. available to all and free. However, this is not even accepted as a principle by the labour movement and Labor governments see not only penalty rates as an issue for trade-offs, but some regard work-based child care in a similar light.

The equal pay movement itself, from its earliest days, recognised the importance of simultaneously campaigning for child endowment as some form of social responsibility for children. Today, family allowances are little more than a token payment and, in response to cries of alarm that doubling and indexing them would cost millions of dollars, it is only reasonable to expect corporations and employers who have benefited from women's super exploitation over the years to foot the bill. (Some other capitalist countries do have wealth taxes.)

Parental leave and paid maternity leave could also help to loosen the sexual division of labour. In Sweden, a parental insurance scheme exists which enables either parent to take leave during the first 12 months after a child's birth, at 90 percent of one's income for first six months, and at a fixed rate for the remaining three months. Up to six months can be saved up and used at any time until the child is eight. There is an additional 60 days paid parental leave each year when children are sick. This scheme has the advantage of being tied to income thus providing some incentive to the parent on a higher income (mostly the male) to be involved in parenting.

At present, the interruptions to work that maternity involves considerably reduce promotional and job opportunities for women. The alternative of competing in a workforce which is organised as though all workers are men with no responsibilities for children or nurturing is hardly an enticing proposition. Though we may not be able to advance on all these fronts at the same time, we'll have to keep working away at all of them if we don't want old inequalities to reappear in a different form. In the long term, it might even take a revolution to sort it out.

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