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Beverley Symons
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Symons, Beverley, Challenging and maintaining the traditional gender order: labour movement responses to women workers in the metal industry, and to equal pay, during World War II, Doctor of Philosophy thesis, Department of History and Politics, University of Wollongong, 1997. <http://ro.uow.edu.au/theses/1434>

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**CHALLENGING AND MAINTAINING THE
TRADITIONAL GENDER ORDER:
LABOUR MOVEMENT RESPONSES TO
WOMEN WORKERS IN THE METAL INDUSTRY,
AND TO EQUAL PAY, DURING WORLD WAR II**

A thesis submitted in fulfilment of the requirements for the
award of the degree

DOCTOR OF PHILOSOPHY

from the

UNIVERSITY OF WOLLONGONG

by

BEVERLEY SYMONS B.A. (Hons.)
University of Wollongong

DEPARTMENT OF HISTORY AND POLITICS

December 1997

I HEREBY CERTIFY that the work
embodied in this thesis is the result
of original research and has not been
submitted for a higher degree to any
other university or institution.

..
Beverley Symons

ABSTRACT

This thesis explores the reactions of the Curtin Labor Government, employer organisations, trade unions, the Communist Party of Australia and other labour movement groups, to the entry of women workers into 'men's jobs' on munitions production and other areas of the metal industry during the Second World War. Motivated primarily by their concern that the employment of cheap female labour threatened male jobs and wage standards, the union movement demanded that the women entering industry receive the same pay rates as the men they were replacing. Rather than institute equal pay by regulation, however, the Government decided on the compromise solution of establishing a special wage-fixation tribunal, the Women's Employment Board, and empowering it to award pay rates between 60% and 100% of the male rate assessed on the basis of the female workers' relative efficiency and productivity. This unique wage-fixing method was a radical departure from the entrenched 'family wage' basis long followed by the Commonwealth Arbitration Court under which female wage rates were set at around 54% of the minimum male rate. However, the potential it represented for a significant change in women's secondary position in the workforce, was contained.

A primary concern of the thesis is to assess the relative influence of patriarchal ideology and Marxist theory, and of social, political, economic and industrial factors, on the attitudes and practices of key actors towards the issue of equal pay; also, the extent to which the traditional gender order was challenged by the wartime shift in the 'normal' sexual division of labour. It illustrates how the impetus for equal pay became dissipated during the second half of the war, in the face of pragmatic political and economic pressures and the dominant pattern of gender relations.

ACKNOWLEDGEMENTS

My foremost appreciation goes to my supervisor, Andrew Wells, whose support for the thesis assisted me in maintaining the momentum to completion. He was at all times a first-rate supervisor, whose discussions of ideas and theories and of the complexities of people's personal and political responses to social change, stimulated me to extend my questioning and research. I greatly appreciate all the help Andrew gave me, especially his confidence in the project and in my capacity to complete it.

I am also very grateful for the support given by my close friend and comrade, Eric Aarons, whose patience and encouragement helped to sustain my will to finish. His insightful comments on the draft chapters were very helpful, as were his first-hand memories of daily life and political events during the Second World War.

My thanks go also to my Wollongong 'sisters', Vicki Crinis and Hazel England, for their friendship and solidarity.

ABBREVIATIONS

ACM	Associated Chambers of Manufactures
ACT	Australian Capital Territory
ACTU	Australasian Council of Trade Unions
AEU	Amalgamated Engineering Union
ANA	Australian National Airways
ALP	Australian Labor Party
APM	Australian Paper Manufacturers
AWA	Amalgamated Wireless Australasia
CAEP	Council of Action for Equal Pay
CC	Commonwealth Council (of the Amalgamated Engineering Union)
CPA	Communist Party of Australia
CWWW	Council for Women in War Work
FCU	Federated Clerks' Union
FED&FA	Federated Engine Drivers' and Firemen's Association
FIA	Federated Ironworkers' Association of Australia
IRC	Industrial Relations Council
LWCOC	Labor Women's Central Organising Committee
MTA	Metal Trades Award
MTEA	Metal Trades Employers' Association
MWG	Militant Women's Group
MWM	Militant Women's Movement
MP	Member of Parliament
NSW	New South Wales
%	per cent
PSA	Public Service Association
SA	South Australia

SAF	Small Arms Factory
SMWU	Sheet Metal Working Industrial Union of Australia
THC	Trades Hall Council
UAP	United Australia Party
UAW	United Associations of Women
WA	Western Australia
WEB	Women’s Employment Board
WOC	Women’s Organising Committee

TABLE OF CONTENTS

	PAGE
Abstract	iii
Acknowledgements	iv
Abbreviations	v
INTRODUCTION	1
CHAPTER ONE: Feminism and Historiography: From Patriarchy and Women’s History to Feminist History and Gender Relations	12
CHAPTER TWO: The Communist Party of Australia and Women: Theories and Practices, 1920s-30s	31
CHAPTER THREE: Legalising, Consolidating and Resisting the Gendered Workforce and the ‘Family Wage’	66
CHAPTER FOUR: Women in Men’s Jobs During World War II: Labour Movement Responses	103
CHAPTER FIVE: Maintaining the Traditional Gender Order: the Conservative Campaign Against Male Pay Rates for Women Workers	143
CHAPTER SIX: ‘Splendid and Satisfactory Work’: the Women’s Employment Board and Women Munition Workers	179
CHAPTER SEVEN: Equal Pay Campaigners and the WEB: Reconciling Principles with Pragmatic Politics	216
CHAPTER EIGHT: Metal Unions’ Responses to the Female ‘Invasion’ of Their Male Domains	257
CONCLUSION	310
BIBLIOGRAPHY	323

INTRODUCTION

This thesis examines a range of responses within the labour movement to the impact of women workers entering traditional male industries during World War II, especially concerning their pay rates. For the first time, the issue of 'equal pay for equal work' became a major concern for the trade union movement, the Labor Government, political parties and employer organisations. The exigencies of the war effort meant that the previous lip-service paid to the issue by most union and political leaders could not be sustained. The perceived threat to men's jobs from an 'invasion' of cheap female labour, forced them to shift from rhetoric to action. In detailing the history of *what* happened, especially during 1942-43, the thesis focuses on *why* key labour movement groups responded as they did. It aims to assess the influence of ideological views about women's role in society, the pragmatic concerns of the Curtin Labor Government, the union movement and employers, and the wider needs of the national war emergency. Thus, it primarily examines two major issues: the relative influence of patriarchal ideology and Marxist theory, as well as social, political, economic and industrial factors, on the attitudes and practices of key actors towards the issue of equal pay; and the extent to which the traditional gender order was challenged by the wartime shift in the 'normal' sexual division of labour in the workforce.

The study focuses on the Labor Government's actions concerning women war workers' pay rates, on the operations of the Women's Employment Board (WEB) which controlled the entry of female labour into male occupations, and on the metal industry where large numbers of women were employed in 'men's jobs'¹ on munitions and other war production. Although it surveys the responses of the union movement generally

¹ The terms, 'men's jobs' or 'male work', denote occupations usually or customarily performed only by men; they reflect the historical and social construction of definitions of skill and the sexual division of labour in the Australian workforce.

towards the issue of women's pay rates, it concentrates on the three main metal industry unions - the Federated Ironworkers' Association (FIA), the Sheet Metal Workers Union (SMWU) and the Amalgamated Engineering Union (AEU). The reasons for this focus on the metal industry include its significant 'standard bearer' role for wage increases, with gains in the Metal Trades Award flowing on to workers in many other industries. The great majority of women occupying 'men's jobs' during the war were employed in the metal industry and the male pay rates they were awarded by the WEB became the standard rate for other groups of women workers. This study's primary concern is to examine the responses of unions towards those women who qualified for the Board's wage rates. (Its determinations affected *only* those women employed on jobs usually performed by men. It thus had no jurisdiction over the majority of women workers in traditional female industries, nor over those who had worked in 'women's jobs' in munitions factories or the metal industry before the war and who continued thereafter). Because of its high concentration of women war workers, the metal industry became the key arena for contestation of views between employers and unions over the validity of the WEB and its wage rates. Wider issues also emerged about the value of women's labour being assessed on their efficiency and productivity rather than on the traditional 'family wage' structure, and about the 'natural' gender segregation of work areas.

The role of leading communist trade union officials in the FIA and SMWU and their influence on decision-making processes within the labour movement was particularly significant. Within the labour movement, the main challenge to patriarchal ideology during the 1920s & '30s stemmed from the Marxist theory on women's emancipation, as advocated by the Communist Party of Australia (CPA). The wartime circumstances of an unprecedentedly high demand for women's labour in industry and the accompanying impetus for equal pay, provided an opportunity for the Party to attempt to translate its theory of women's equality into practice.

Any account of the situation of women workers during the war which aims to illuminate the underlying reasons for the responses of key players, needs to also analyse the historical social-political context of women's position in the labour market and the wider society over preceding decades. The reaction to the impact of the female 'invasion' of male workplaces and to the issue of equal pay, cannot be understood in isolation from the dominant pattern of gender relations in Australian society since white settlement, nor from the 'family wage' concept enshrined from 1907 as the key wage-fixation principle. In the first half of the twentieth century, the issue of equal pay was closely linked with women's place in a deeply gendered society where the lines between the female private-familial role and the male public-political role were sharply demarcated. The question of whether women had a right to equal pay had both an ideological and material basis, being inextricably tied to their primary identity as wives and mothers, economically dependent on men. It thus represented far more than wage justice for a sizeable section of low-paid workers, signifying economic autonomy from male providers and a major step towards women's full social equality. In the four decades preceding WWII, many workers and unions regarded equal pay as a radical demand which threatened the *status quo* of gender relations. An important factor behind their opposition to women's equality in the workforce was their fear of the widespread unemployment many had experienced after WWI and during the Depression. As large numbers of women entered male work areas in 1941-42, the perceived danger they posed to men's skills and jobs was closely linked with deep-rooted insecurities about post-war employment prospects.

Australian labour historiography has been enriched by incorporating an awareness of gender as well as class relations into studies of the social history of working-class people. A gender analysis is particularly apposite for this study, in which women and the issue of equal pay share centre-stage with male-dominated unions and political parties. My theoretical and methodological approach to this thesis accords with a

recognition of gender relations as 'a major power dynamic within history'² and as 'reciprocal processes of negotiation and domination.'³ Gerson and Peiss argue that: 'Male behaviour and consciousness emerge from a complex interaction with women as they at times initiate and control, while at other times, cooperate or resist the action of women.'⁴ This is a very appropriate conception for a study of the complex gender and class relations that occurred in the labour movement during the war. All the main players were experiencing an unprecedented situation - the women and men working together on the shop floor; government ministers anxious to ensure that women's employment in men's jobs in industry would be accepted by both employers and unions; employer bodies who strongly opposed paying male pay rates to women; union leaders who supported equal pay as a protection for men's jobs and skills; and equal pay campaigners who advocated a single rate for the job, irrespective of the worker's sex. There were, then, a range of competing agendas, with some being far more powerful than others. Needless to say, men overwhelmingly held positions of power in the labour movement, government and other institutions. Whilst this did not mean the women workers were passive acceptors of their fate, they did lack sufficient access to the decision-making processes which determined their employment terms, including their exit from male industries at the war's end.

This thesis draws on the following primary research and secondary sources:

* Newspapers, journals and pamphlets containing the views of the leading bodies of the FIA, SMWU and AEU; minutes, correspondence and other manuscript records of these three unions and those of the ACTU, Labor Council of NSW, Melbourne Trades Hall Council and the CPA.

* Minute-books, correspondence and other documents of the Council of Action for Equal Pay (CAEP), as well as primary and secondary materials concerning the United Associations of Women (UAW).

² Jill Matthews, 'Feminist History', *Labour History*, no. 50, May 1986, p. 150.

³ Judith M. Gerson and Kathy Peiss, 'Boundaries, Negotiation, Consciousness: Reconceptualising Gender Relations', *Social Problems*, vol. 32, no. 4, 1984, p. 317.

⁴ *Ibid.*, p. 327.

- * Minutes, correspondence and journals of the Metal Trades Employers' Association, the Associated Chamber of Manufactures and the Chambers of Manufactures of NSW and Victoria.
- * Government documents, correspondence and Cabinet minutes concerning women's employment, female wage rates, the Women's Employment Board and relevant legislation.
- * Records relating to the WEB, transcripts of hearings and its major determinations covering the metal industry, together with manuscript papers of the WEB Chairman, Judge Alfred Foster.
- * Hansard record of Parliamentary debates by Labor and United Australia Party Federal Members, 1942-43.
- * Judgements of the Commonwealth Arbitration Court dealing with women's wages, 1907-50.
- * Tape-recorded interviews with three contemporary participants.
- * Newspapers, journals and pamphlets of the CPA, 1920-50; the *Sydney Morning Herald*, 1940-45; and other primary publications, 1920s-40s.
- * The existing literature pertaining to: the Commonwealth Arbitration Court; equal pay activities by women's groups, unions, communist and Labor women; the CAEP and the UAW; the ALP and Curtin Government; experiences of women workers during WWII; women's wage rates, the WEB and the union movement.
- * Additional secondary materials concerning the Marxist-Leninist theory of women's oppression, the sexual division of labour, women's and feminist history and gender relations.

The geographical scope of the thesis is largely limited to NSW and Victoria, with some references to groups and events in other states, and my research of trade unions, employer organisations and the Communist Party concentrates on their leading national bodies. Some efforts were made to ascertain the existence of regional differences outside Sydney and Melbourne, but the necessary investigation of other centres was not

possible. The use of oral history is limited. Although the views of women workers are contained in some chapters, I did not interview any women who had worked in the metal industry during the war. My primary interest was to explore the decision-making processes exercised by (predominantly male) leaders of unions, government and other institutions in relation to women's pay rates and employment terms, and the intertwining of political, economic, gender and class interests.

The thesis comprises eight chapters and a Conclusion. Chapters 1 to 3 aim to provide the necessary theoretical and historical background for an understanding of the social attitudes and practices of various labour movement groups towards women's wartime entry into male jobs. Chapters 4 to 6 detail the union movement's aim to secure equal pay as a condition of women's employment in industry, the parameters and functions of the WEB, the conservative campaign against the Board and its wage determinations, and the effects of its awards in the munitions and metal industries. Conflicting views within the labour movement over acceptance of the WEB's standard 90% rate rather than full equal pay, are examined in Chapter 7. The final chapter studies the responses of the three main metal unions to women's entry into their industries, their efforts to gain the WEB rate from employers, the strikes waged by women unionists for their wage claims, and their involvement in the unions. The Conclusion draws together the responses of the major players concerning women's work and equal pay and makes some observations about the dominant patriarchal ideology concerning women's primary role in the society and the political and economic constraints imposed by the war effort. Its major aim is to highlight the factors illustrated throughout the thesis which explain why the earlier impetus for equal pay was dissipated, and why the wartime challenge to the entrenched sexual division of labour in the workforce was contained.

Chapter One sets the theoretical framework for utilisation of the concept of gender relations throughout the thesis. It surveys recent Australian feminist historiography, to

its recognition of gender as a fundamental category of historical analysis. This thesis has been informed by the concept of gender relations as ‘interactions and power balances between and among women and men’⁵ and as ‘reciprocal processes of negotiation and domination.’⁶ The story developed in this thesis of the responses by the union movement, government and other institutions to women’s employment in male industries, primarily demonstrates processes of power exercised by men; however, their domination was by no means uncontested.

Chapter Two examines the significant role played by the Communist Party (CPA) during the 1920s and ‘30s in support of women’s right to work outside the home and to receive equal pay. It acts as an introduction to the next chapter, which looks at other challenges to the hegemonic patriarchal ideology from within the labour movement. The CPA was the only political-industrial organisation to have a comprehensive theoretical framework for its policies on women’s social equality. Thus, its Marxist-Leninist theory on women’s emancipation, as derived particularly from Engels and Lenin, is also analysed. This chapter also provides the background context for assessing the Party’s continuing influence in the labour movement during the war.

Chapter Three provides an historical overview of ideological attitudes towards women and the issue of equal pay, as well as their material situation in the workforce, from 1907 to 1940. It explores the ramifications of the Commonwealth Arbitration Court’s 1907 ‘Harvester’ and 1912 ‘Mildura Fruit Pickers’ judgements. These and further cases enshrined the ‘family wage’ concept and the division of the workforce into sharply demarcated men’s and women’s work at unequal pay rates. The chapter also outlines a range of views and activities about the issue of equal pay, as well as the reaction against working women ‘taking men’s jobs’ during the Depression. It concludes with an examination of the revitalisation of a union-based equal pay campaign, following formation of the Council of Action for Equal Pay in Sydney in mid-1937. The

⁵ Matthews, *op. cit.*, p. 148.

⁶ Gerson and Peiss, *op. cit.*, p. 317.

Council's policies and those of the middle-class feminist organisation, the United Associations of Women, are summarised to the end of 1940. Again, this chapter provides the necessary historical context to enable a better understanding of the views of the main players concerned about equal pay, as the entry of women into war-production industries escalated.

The thesis now moves into its major areas of empirical investigation, with the next five chapters charting the events surrounding women war workers' employment and pay rates. **Chapter Four** provides an overall introduction to specific aspects developed in further chapters. It examines union movement pressure on the new Labor government to resolve the problem of the threat to men's jobs posed by low-paid female labour, the government's response and the ramifications of the WEB's wage decisions. It also explores the reasons behind the government's reluctance to regulate for equal pay and its decision instead, to establish the WEB with power to award pay rates from 60-100% of the male rate, based on the women's comparative efficiency and productivity. The WEB's major wage decisions for the munitions and metal industries are summarised, as well as the union movement's general responses to the Board. Finally, the chapter outlines the growing problem of wage anomalies and resultant industrial unrest among the majority of women workers stuck on low female wages.

Chapter Five is a study of the concerted campaign waged by major employer organisations and conservative Parliamentarians against the WEB's awards of male wage rates to women, which was aimed at destroying the Board and restoring the wage-fixation authority of the Arbitration Court. The chapter demonstrates the extent of this 'counter-offensive', which included several High Court challenges and refusal by metal industry employers to pay the WEB rates to their female employees. It draws out the reasons for the employers' strident opposition to the WEB's decisions and especially, to its wage-fixing methods which represented a radical departure from the 'family wage' basis long followed by the Court. It shows that the employers' primary concern was to

ensure that the traditional female wage-fixation basis would not be permanently jeopardised and that the WEB's practice of assessing the value of women's labour on their productivity must not continue. For manufacturing employers looking to post-war industrial expansion and greater utilisation of unskilled process-line labour, there was much more at stake in their opposition to the WEB than the short-term payment of higher wages to a section of women workers.

Having 'set the stage' in the last two chapters with an overall scenario of the positions taken by the union movement, the government and employers, the next three chapters fill in the picture of women's work experiences in the munitions and metal industries. Thus, **Chapter Six** details the effects of the WEB's operations and decisions and the rationale for its effective penalisation of the women workers by 10% rather than awarding equal pay; as well as the operating parameters between the Court and the Board and their different frameworks towards women's wages. It also examines the problem of wage anomalies in government munition factories and the discontent among experienced workers in 'women's jobs' on female rates, whilst newcomers in 'men's jobs' received 90% after a few weeks' probation. The Court's rejection of a union claim for the same rate for low-paid women is examined, when it reaffirmed its adherence to the 'family wage' concept and repudiated the notion that female wages should be based on comparable efficiency and productivity.

Chapter Seven studies the conflict within the labour movement over the issue of union acceptance of the WEB's 90% standard rate. Those reaching the view that this was the best result possible for the time being, included the FIA and SMWU, the CPA, the ACTU and most of the union movement, as well as women's groups; whilst the Council of Action for Equal Pay (CAEP) continued to press its demand for a single 'rate for the job' for both sexes. The chapter traces CAEP's disappointment with the WEB's wage decisions, its growing concern as the earlier push for equal pay dropped away, the policy differences that emerged in its ranks and its declining influence within

the labour movement. Also examined are the views of the United Associations of Women and the CPA. The chapter demonstrates how the impetus for equal pay became dissipated as the principle gave way to the pressures of political, economic and social realities. This process began with the Curtin Government's initial decision to institute the WEB as a temporary expedient to resolve an immediate problem, thus shelving equal pay as a measure of social justice for women.

Finally, **Chapter Eight** explores the policies and practices of the three main metal unions towards women entering their male domains. It shows that whilst there were some similarities, sharp differences in policy and attitudes towards the 'female invaders' existed between the skilled craftsmen of the AEU, and the metal tradesmen and unskilled labourers of the communist-led SMWU and FIA. It also lays to rest any notion that women workers during the war passively accepted decisions made on their behalf by male leaders, or that they did not get involved in union affairs or industrial action. On the contrary, the chapter highlights several stop-work meetings and strikes waged by women unionists to force employers to pay the 90% WEB rate. Union officials were often taken aback by the level of militancy and independence displayed by groups of women workers who were being denied their wage rise. Some observations are made in this chapter and in the thesis Conclusion about gender and class relations, and the universally accepted understanding that women were only temporarily filling men's jobs in industry and that they would leave as soon as the men returned.

The dominating influence of the prevailing gender order of the 1940s meant that actors' options were circumscribed to 'fit' their conceptions of acceptable gender roles and behaviour. Thus, whilst there was a significant change in women's social and economic position during the war, their position in the society could not have been radically transformed. At times, the pragmatic political, economic and industrial concerns and priorities of key groups assumed more importance than ideological views

about women, whilst the immediate demands of the war effort generally overrode other political and social factors. The thesis illustrates the need for investigation of all the complex interacting factors involved in assessing the labour movement and women's work during WWII, and for analysis to be based on the empirical research as well as drawing on gender and class theories.

CHAPTER ONE

FEMINISM and HISTORIOGRAPHY: FROM PATRIARCHY and WOMEN's HISTORY, TO FEMINIST HISTORY and GENDER RELATIONS

This thesis relates to two strands of historiography: labour history and feminist history, or more specifically, gender analysis. In light of the significant changes that have occurred within Australian historiography over the last two decades, such an approach is no longer novel or 'outside the norm'.¹ As Frances has aptly put it, for a feminist labour historian, labour history should be 'concerned with issues of community, ethnicity and gender as well as the more formal, white, male history of institutional labour.'² The feminist impact on traditional labour history is now irreversible. Curthoys initiated the debate for a 'new historiography' over twenty-five years ago, when she called for a history of women which not only restores women to the history books, but which:

must analyse why public life has been considered to be the focus of history, and why public life has been so thoroughly occupied by men ... The concepts usually operating in historiography, defining what is important, must be questioned.³

Two recent statements indicate just how much has changed within historiography since then. Noting the centrality of the issue of gender, Macintyre states that 'sexual inequality is crucial to understanding changes in the labour process'⁴; and Wells warns that any conception of labour history which fails to address the feminist challenge will 'demonstrate serious theoretical, historical and political limitations.'⁵

¹ See, for example, several of the contributions in Terry Irving (ed.), *Challenges to Labour History*, Sydney: University of New South Wales Press, 1994.

² Raelene Frances, 'Fringe History' in Bain Attwood (ed.), *Labour Histories*, Monash Publications in History no. 17, Clayton: Monash University, 1994, p. 63.

³ Ann Curthoys, 'Historiography and Women's Liberation', *Arena*, no. 22, 1970, p. 37.

⁴ Stuart Macintyre, cover comment on Frances, *The Politics of Work: Gender and Labour in Victoria, 1880-1939*, Cambridge: Cambridge University Press, 1993.

⁵ Andrew Wells, 'Marxism and Labour History', in Irving (ed.), *op. cit.*, p. 29.

This chapter has two interrelated purposes: to summarise the conceptual stages of feminist critiques of conventional Australian history leading to recognition of gender as a fundamental category of historical analysis,⁶ and to establish the theoretical premises for a study of gender relations in the Australian labour movement prior to and during World War II.

Within a few years of Curthoys' 1970 call for a new historiography of women, several books and numerous articles by female historians had been published and extensive research was being undertaken. Feminist journals were also emerging and 'women's studies' was increasingly being seen as a legitimate research area. It was an intellectually exciting period for feminists attempting to develop a women's history which aimed to reshape conventional (or 'malestream') history in which women had been marginalised or ignored.⁷ That their task was fraught with difficulties was demonstrated in different ways by four path-breaking books published in 1975-76.⁸ Although these studies attracted some criticism from other historians, including feminists, they came as an

⁶ See, for example: Elizabeth Fox-Genovese, 'Placing Women's History in History', *New Left Review*, no. 133, May-June 1982, pp. 6, 14-15; Kay Saunders and Raymond Evans, 'Introduction', in Saunders and Evans (eds.), *Gender Relations In Australia: Domination and Negotiation*, Sydney: Harcourt Brace Jovanovich, 1992, p. xix; Marilyn Lake, 'The Politics of Respectability: Identifying the Masculinist Context', *Historical Studies*, vol. 22, no. 86, April 1986, p. 116; Patricia Grimshaw, Marilyn Lake, Ann McGrath and Marian Quartly, *Creating A Nation*, Ringwood: McPhee Gribble, 1994, p. 4. See also Joan W. Scott's important theoretical argument for gender as an analytic category in 'Gender: A Useful Category of Historical Analysis', *The American Historical Review*, vol. 91, no. 5, December 1986, pp. 1053-75, reprinted in her *Gender and the Politics of History*, New York: Columbia University Press, 1988, ch. 2.

⁷ Kay Daniels, 'Feminism and Social History', *Australian Feminist Studies*, no. 1, Summer 1985, p. 27.

⁸ Anne Summers, *Damned Whores and God's Police: The Colonization of Women in Australia*, Ringwood: Penguin, 1975, Beverley Kingston, *My Wife, My Daughter and Poor Mary Ann: Women and Work in Australia*, Melbourne: Thomas Nelson, 1975, Miriam Dixson, *The Real Matilda: Woman and Identity in Australia 1788 to 1975*, Ringwood: Penguin, 1976, Edna Ryan and Anne Conlon, *Gentle Invaders: Australian Women at Work 1788-1974*, Melbourne: Thomas Nelson, 1975. For feminist critiques of these books see, for example, Ann Curthoys, 'Towards a Feminist Labour History' in A. Curthoys, S. Eade and P. Spearritt (eds.), *Women at Work*, Canberra: Australian Society for the Study of Labour History, 1975, pp. 88-95 (published as *Labor History* Special Issue, no. 29, November 1975); and Kay Daniels, 'Women's History' in G. Osborne and W.F. Mandle (eds.), *New History: Studying Australia Today*, Sydney: Allen & Unwin, 1982, pp. 32-50.

inspiration for many,⁹ and their importance to feminist history has endured.¹⁰ The significance of the changes in the method of analysing the past experiences of Australian men and women, can be gauged by how conventional history was written before the 1970s. As Curthoys commented, early feminist historians found they:

had been taught little or nothing of the history of women, or of the relations between women and men in all their public and private, political, economic, and social aspects. We had no past - or so, at first, we thought.¹¹

Or as Daniels pointed out, conventional histories untouched by feminist insights:

demonstrate in one way and in one form the ways in which women have been dominated and trivialised and ignored ... I am still surprised when I read them, particularly by the contempt for women which is revealed in many of them, and I am still surprised ... that historians could write histories of whole societies without ever thinking seriously about the place of women at all.¹²

For the most part, she went on, Australian history had:

not just been the history of men, but the history of the public world of politics, of the economy, of talk about Australian character, not of domesticity, not of the family, not of sexual relations or sentiments, nor of the social apparatus of oppression.¹³

With some exceptions such as Fry's doctoral thesis,¹⁴ labour history presented an almost unrelenting picture of a masculine public world occupied by male workers, trade union leaders and political activists and their mateship and fraternity in the class struggle. As Lake succinctly put it, the practice of labour history was a boys' story in which women - and the feminine - were as much out of place as in the public bar. 'It wasn't that women hadn't worked, organised and campaigned in the past, it was just that they had no place in the construct 'labour history'.'¹⁵ The publication of *Women at Work* in 1975, as a special issue of *Labour History*, marked a break from this tradition.¹⁶ Another important

⁹ See, for instance, Frances' recollections of the impact of Summers' and Dixon's books in 'Fringe History', *op. cit.*, pp. 58-9.

¹⁰ Curthoys, 'Visions, Nightmares, Dreams: Women's History, 1975', *Australian Historical Studies*, vol. 27, no. 106, April 1996, pp. 1-13.

¹¹ Curthoys (1975), *op. cit.*, pp. 88-89.

¹² Daniels (1985), *op. cit.*, p. 27.

¹³ *Ibid.*, p. 32.

¹⁴ E.C. (Eric) Fry, 'The Condition of the Urban Wage Earning Class in the 1880s', Ph.D Thesis, Australian National University, 1956.

¹⁵ Marilyn Lake, 'The Constitution of Political Subjectivity and the Writing of Labour History', in Irving (ed.), *op. cit.*, p. 76.

¹⁶ Curthoys, Eade and Spearritt (eds.), *op. cit.*

breakthrough for women's historiography was the publication in 1977 of a comprehensive guide to historical records on Australian women.¹⁷ Daniels' introductory comments about the need for the history of women to be written not as a separate study but in the context of social history, was both an indictment of conventional history and a hope for the way forward:

if women are to be put into a history from which they have been excluded it will be into a history of society and a history that is radically different because of the inclusion of women in it. Therefore we have been concerned with women in the context of social structures and processes, with the things that divided women as well as the things that united them, with their class experiences including their class relationships with each other. We have not thought that women's invisibility in historical writing is because they have in some way 'fallen through' the fabric of society into its 'cracks and crevices' but that historical writing has been deficient in the examination of that fabric and has consequently left unrevealed the basic processes and relationships of society and the integral role of women in them.¹⁸

Much of the early women's history was aimed at restoring the missing women to the history books, or 'rescuing our lost sisters'¹⁹. Although a necessary redress of women's previous absence, such accounts were informed by similar conceptual and methodological frameworks as conventional history. They tended to fall within a process described by Lerner as 'transitional women's history': either 'compensatory history'; 'contribution history'; the history of women's oppression with women as passive victims; or examinations of women's rights and struggles, the image of women and 'woman's sphere'.²⁰ This process was reflected in Markey's comment in 1978 that women's history to date 'has tended to perpetuate the placement of women outside the mainstream of Australian history.' That is, although 'woman's role' in nineteenth-century colonial society had been reasonably well documented, little had been done about relating women's positions to social, political and economic developments.²¹ Windschuttle pointed to problems of generalising about women as a homogenous group universally oppressed by patriarchy. Women's class divisions 'are just as important

¹⁷ Kay Daniels, Mary Murnane and Anna Picot (eds.), *Women In Australia: An Annotated Guide to Records*, Canberra: Australian Government Publishing Service, 1977.

¹⁸ Daniels, 'Introduction' in *ibid.*, pp. vi-vii.

¹⁹ Jill Matthews, 'Feminist History', *Labour History*, no. 50, May 1986, p. 147.

²⁰ Gerda Lerner, 'Placing Women in History: Definitions and Challenges', *Feminist Studies*, vol. 3, no. 1/2, 1975, pp. 5-14; see also, Matthews, *op. cit.*, pp. 147-8.

²¹ Ray Markey, 'Women and Labour, 1880-1900', in Elizabeth Windschuttle (ed.), *Women, Class and History: Feminist Perspectives on Australia 1788-1978*, Sydney: Fontana/Collins, 1980, p. 83.

determinants of their individual experience as that generated by a shared gender,' she argued, and that women's history 'needs to be grounded as much in class analysis as in the study of patriarchy.'²² From the early 1980s, much of the work of feminist historians has focused on facets of the relationship between capitalism and patriarchy, particularly the sexual division of labour in the workforce and the home, the economic importance of domestic labour, the intersection of class and gender in the workplace, and the social-political relations between men and women in the labour movement.²³

In the context of the development of feminist historiography, some comments should be made about the difficulties arising from attempts to utilise the concept of patriarchy as an explanatory alternative to class/Marxist theory, and its decline. As Pringle recently noted, the concept 'has fallen into disuse':

Radical feminists invoke it, albeit with rhetorical rather than explanatory purpose, to proclaim the universality of male dominance ... Others have quietly dropped it from their repertoire or permit it only a lazy, faraway existence as a referent.²⁴

Patriarchy now, 'at least in its systemic sense, is more of an obstacle than an aid to understanding the specific operations of power', she argued, pointing to an alternative focus on 'local, fragmented and specific relations of gender domination.'²⁵ The concept

²² Elizabeth Windschuttle, 'Introduction', in *ibid.*, pp. 31, 32.

²³ Important Australian studies from this large body of literature in the 1980s include: Ann Curthoys, 'The Sexual Division of Labour under Capitalism', in Norma Grieve and Patricia Grimshaw (eds.), *Australian Women: Feminist Perspectives*, Melbourne: Oxford University Press, 1981, pp. 39-43, and her further article, 'The sexual division of labour: theoretical arguments', in Norma Grieve and Ailsa Burns (eds.), *Australian Women: New Feminist Perspectives*, Melbourne: Oxford University Press, 1986, pp. 319-39; Margaret Power, 'Women and Economic Crises: the Great Depression and the Present Crisis', in Windschuttle (ed.), *op. cit.*, pp. 492-513, and her earlier articles, 'The Making of a Woman's Occupation', *Hecate*, vol. 1, no. 2, July 1975, pp. 25-34 and 'Woman's Work Is Never Done - by Men: A Socio-Economic Model of Sex-Typing in Occupations', *Journal of Industrial Relations*, vol. 17, no. 3, September 1975, pp. 225-39; Bettina Cass, 'Rewards for Women's Work' in Jacqueline Goodnow and Carole Pateman (eds.), *Women, Social Science and Public Policy*, Sydney: Allen & Unwin, 1985, pp. 67-94; Kerreen Reiger, *The Disenchantment of the Home: Modernizing the Australian Family 1880-1940*, Melbourne: Oxford University Press, 1985; Raelene Frances, '"No More Amazons": Gender and Work Process in the Victorian Clothing Trades, 1890-1939', *Labour History*, no. 50, May 1986, pp. 95-112; Chilla Bulbeck, 'Manning the Machines: Women in the Furniture Industry 1920-1960', *Labour History*, no. 51, November 1986, pp. 24-32; Laura Bennett, 'Job Classification and Women Workers: Institutional Practices, Technological Change and the Conciliation and Arbitration System 1907-72', *Labour History*, no. 51, November 1986, pp. 11-23; Ann Game and Rosemary Pringle, *Gender at Work*, Sydney: Allen & Unwin, 1983; Katrina Alford, *Production or Reproduction? An Economic History of Women in Australia, 1788-1850*, Melbourne: Oxford University Press, 1984.

²⁴ Rosemary Pringle, 'Destabilising patriarchy' in Barbara Caine and Rosemary Pringle (eds.), *Transitions: New Australian Feminisms*, Sydney: Allen & Unwin, 1995, p. 198.

²⁵ *Ibid.*, p. 199.

of patriarchy, then, has shifted full circle: from being hailed as the key determinant of women's oppression by men, distinct from the class exploitation of capitalism, to a widespread recognition of its theoretical inadequacies. This process of change can be traced via literature surveys of the debate, notably those by Beechey and Walby.²⁶

According to Curthoys, the 'most profound ideological influence' in the early 1970s was Millett's *Sexual Politics*, which 'redefined "patriarchy" for the modern feminist movement.'²⁷ Millett saw male domination of women as an overarching system of power, common to all societies: 'Groups who rule by birthright are fast disappearing, yet there remains one ancient and universal scheme for the domination of one birth group by another - the scheme that prevails in the area of sex.' The rule of women by men was 'more rigorous than class stratification, more uniform, certainly more enduring.' It was 'perhaps the most pervasive ideology of our culture and provides its most fundamental concept of power.' This is because our society is a patriarchy, in which every avenue of power is entirely in male hands.²⁸ Women's liberation activists enthusiastically received Millett's message that the source for the oppression of all women could be identified as institutionalised male domination which spanned class. Her concept of patriarchy gave a name to Friedan's 'problem that has no name' and 'could be made to refer to an entire social system.'²⁹ Pringle believed that 'the importance of Millett's assertion that sexual relations were political ones, that sexual inequalities were fundamental, long-standing and systemic,' cannot be overstated.³⁰

²⁶ Veronica Beechey, *Unequal Work*, London: Verso, 1987, ch. 4, 'On Patriarchy' (first published in *Feminist Review*, vol. 1, no. 3, 1979, pp. 68-32); and Sylvia Walby, *Patriarchy at Work: Patriarchal and Capitalist Relations in Employment*, Cambridge: Polity Press, 1986, ch. 2. See also Bonnie J. Fox, 'Conceptualizing "patriarchy"', *The Canadian Review of Sociology and Anthropology*, vol. 25, no. 2, May 1988, pp. 163-82; Ann Curthoys, 'The Women's Movement and Social Justice' in Dorothy H. Broom (ed.), *Unfinished Business: Social Justice for Women in Australia*, Sydney: Allen & Unwin, 1984, pp. 161-76; and Pringle, *op. cit.*, pp. 198-211.

²⁷ Curthoys, *op. cit.*, 1984, p. 166.

²⁸ Kate Millett, *Sexual Politics*, London: Rupert Hart Davis, 1971(1970), pp. 24, 25.

²⁹ Curthoys, 1984, *op. cit.*, p. 167.

³⁰ Pringle, *op. cit.*, p. 200.

Socialist and Marxist feminists, however, soon criticised 'patriarchy' as an overall explanatory theory. A major problem with *Sexual Politics* was its lack of explanation for patriarchy, beyond stating that it was historically, not biologically, created.³¹ As Beechey noted, whilst Millett rejects biological determinism, she 'has no other theory of the foundations of patriarchy apart from a fairly generalised conception of power relationships.' Thus, she 'provides primarily a *description* of patriarchal relationships and some of their manifestations' but is 'unable to provide a satisfactory *explanation* of their foundation.'³² According to Barrett, Millett aimed 'to establish a fundamental system of domination - patriarchy - that is analytically independent of the capitalist or any other mode of production.' Not only is analytic independence given to male domination, 'but analytic *primacy*.'³³ For Barrett, the term 'patriarchy' presents 'insuperable difficulties to an analysis that attempts to relate women's oppression to the relations of production of capitalism.'³⁴

The crux of the conceptual problem was the interrelationship between capitalism and patriarchy. Two major positions developed from attempts to resolve this problem: the 'dual systems' approach originally formulated by Hartmann³⁵, which sees capitalism and patriarchy as analytically separate, but coexisting, social structures; or a single system of 'capitalist patriarchy', as theorised by McDonough and Harrison and by Eisenstein.³⁶ For Eisenstein, 'capitalist patriarchy' emphasises the 'mutually reinforcing dialectical relationship between capitalist class structure and hierarchical sexual structuring.' Patriarchy, as male supremacy, 'provides the sexual hierarchical ordering of society for

31 Curthoys, 1984, *op. cit.*, p. 166.

32 Beechey, *op. cit.*, p. 99.

33 Michele Barrett, *Women's Oppression Today: The Marxist/Feminist Encounter*, London: Verso, 1988(1980), p. 11.

34 *Ibid.*, p. 19.

35 Heidi I. Hartmann, 'The Unhappy Marriage of Marxism and Feminism: Towards A More Progressive Union', *Capital & Class*, no. 8, Summer 1979, pp. 1-33 (republished in Lydia Sargent (ed.), *Women and Revolution: A Discussion of the Unhappy Marriage of Marxism and Feminism*, London: Pluto, 1981).

36 Roison McDonough and Rachel Harrison, 'Patriarchy and Relations of Production', in Annette Kuhn and AnneMarie Wolpe (eds.), *Feminism and Materialism: Women and Modes of Production*, London: Routledge & Kegan Paul, 1978, pp. 11-41; and Zillah Eisenstein, 'Developing a Theory of Capitalist Patriarchy and Socialist Feminism' in Z.R. Eisenstein (ed.), *Capitalist Patriarchy and the Case for Socialist Feminism*, New York: Monthly Review Press, 1979, pp. 5-40.

political control', while capitalism feeds off the patriarchal ordering. Thus, 'capitalism uses patriarchy and patriarchy is defined by the needs of capital.'³⁷ The 'dual systems' approach, observed Pringle, 'had the advantage of treating patriarchy as a specific set of relations rather than an overarching system', but in practice, 'it was impossible to distinguish where one system ended and the other began.'³⁸

The debate within socialist feminism continued for some years, between 'dual systems' approaches and attempts to develop a unitary theory of capitalism and patriarchy to explain the interconnections of class and sex oppression.³⁹ The debate was ultimately inconclusive, with many feminists abandoning the term 'patriarchy', or using it in a different form. Thus, Barrett writes of 'patriarchal ideology' to describe specific aspects of male-female relations in capitalism⁴⁰, and Smart refers to 'patriarchal relations and structures'.⁴¹ Such use of the adjective 'avoids the implication that male domination [is] a rigid system with its own material base or mode of production'; it suggests 'something more fluid, employing a variety of mechanisms and strategies in the exercise of power.'⁴² Beechey discussed an important theoretical problem with those analyses which see society as consisting of two separate structures, which are variously described as: 'the economic class system/the sex class system, the family mode of production/the industrial mode of production, capitalism/patriarchy, social relations of production/social relations of reproduction.'⁴³ The problem was that:

the separation of reproduction or patriarchy from other aspects of the mode of production has tended to leave the Marxist analysis of production untouched and uncriticised by feminist thinking. Yet theoretically this analysis has been quite unsatisfactory - analyses of production are frequently economistic, the labour

³⁷ Eisenstein, *ibid.*, pp. 5, 28.

³⁸ Pringle, *op. cit.*, p. 201.

³⁹ For a useful summary of the debate, see Cynthia Cockburn, 'The Relations of Technology: What Implications for Theories of Sex and Class?', in Rosemary Crompton and Michael Mann (eds.), *Gender and Stratification*, Cambridge: Polity Press, 1986, pp. 74-85, esp. from p. 79.

⁴⁰ Barrett, *op. cit.*, p. 19.

⁴¹ Carol Smart, *The Ties that Bind: Law, Marriage and the Reproduction of Patriarchal Relations*, London: Routledge & Kegan Paul, 1984, p. 6, cited in Pringle, *op. cit.*, p. 203.

⁴² Pringle, *op. cit.*, p. 201.

⁴³ Beechey, *op. cit.*, p. 112.

process divorced from the social relations of production as a whole, and female wage labour frequently left out.⁴⁴

Cockburn also noted that some writers referred to the '*economic* mode of production' and the '*ideological* mode of patriarchy'. Often, 'patriarchy is reduced to questions of sexuality, marriage and domestic life, while capitalism is reduced to work.'⁴⁵

Rowbotham made a similar point about the male/female dichotomy:

We have patriarchy oppressing women and capitalism oppressing male workers. We have biological reproduction on the one hand and work on the other. We have the ideology of 'patriarchy' opposed to the mode of production, which is seen as a purely economic matter.⁴⁶

For Barrett, the problem with the concept of patriarchy was that 'not only is it by and large resistant to exploration within a particular mode of production, but it is redolent of a universal and trans-historical oppression.' Thus, to use the concept 'is frequently to invoke a generality of male domination without being able to specify historical limits, changes or differences.'⁴⁷ What we need to analyse, 'are precisely the mechanisms by which women's oppression is secured in different contexts.'⁴⁸ Rowbotham gave perhaps the sharpest criticism of the concept's continued usefulness:

'Patriarchy' implies a universal and historical form of oppression which returns us to biology - and thus it obscures the need to recognise not only biological difference, but also the multiplicity of ways in which societies have defined gender ... [It] implies a structure which is fixed, rather than the kaleidoscope of forms within which women and men have encountered one another ... [It] suggests a fatalistic submission which allows no space for the complexities of women's defiance ... We have stretched its meaning in umpteen different ways, but there is no transience in it at all. It simply refuses to budge.⁴⁹

It is not sexual difference that is the problem, she continued, but the social inequalities of gender: 'the different kinds of power societies have given to sexual differences, and the hierarchical forms these have imposed on human relationships.' A new approach was needed which can encompass 'both the conflict and the complementary association

⁴⁴ *Ibid.*, p. 113.

⁴⁵ Cockburn, *op. cit.*, p. 83.

⁴⁶ Sheila Rowbotham, 'The trouble with "patriarchy"', *New Statesman*, 21/28 December 1979, p. 970.

⁴⁷ Barrett, *op. cit.*, p. 14.

⁴⁸ *Ibid.*, p. 250.

⁴⁹ Rowbotham, *op. cit.*, p. 970.

between the sexes.’ That is, an historical concept of sex-gender relationships which would encompass ‘changing patterns of male control and its congruence or incongruence with various aspects of women’s power.’⁵⁰

Reflecting on the debate about patriarchy, the major insurmountable problem was the attempt to construct a ‘totalising’ theory of male domination to explain all aspects of women’s subordination. Such an all-encompassing theory ultimately becomes rigid and reductionist. As Connell put it, theories of patriarchy suffered ‘from an excess of theoretical centralism - from the attempt to organise the whole field around some one master principle.’ A theory of patriarchy does not require a ‘key’, ‘core’, ‘central’ relation that organises all the rest. Its unity ‘is a *composed* unity, the (fleeting) product of the history of many processes, which always show some incoherence, some contradictions.’⁵¹ Many theorists shifted from ‘patriarchy’ as a coherent system, towards a focus on how gender relations have operated in specific contexts, with particular forms and in various spheres of women’s lives. As Pringle noted, the 1980s saw:

a turning away from attempts to integrate the monolithic structures of capitalism and patriarchy and a new sense of the need to look at concrete instances of gender domination and its interrelation with class, ethnicity, sexuality, politics and culture - all analysed in the context of their historical development.⁵²

With the influence of postmodernism, there has also been a shift away from the ‘grand narrative’ single explanatory theory towards ‘multi-feminisms’ and analyses of deconstructionism, discourse and culture.

In 1986, two feminist historians reacted to the ‘state of play’ of women’s history in Australia, by urging that it was time to transcend the focus on ‘filling in the gaps’ in

⁵⁰ *Ibid.*

⁵¹ R.W. (Bob) Connell, *Which Way is Up? Essays on Sex, Class and Culture*, Sydney: Allen & Unwin, 1983, p. 56.

⁵² Pringle, *op. cit.*, p. 208. Saunders provides a useful survey of the extensive literature by feminist scholars dealing with specialised areas of gender analysis, including women’s work and the Australian economy; family structure and history; sexuality; women and welfare; indigenous women’s history and race relations; and women’s legal rights - see Kay Saunders, ‘From Women’s History to Gender Relations Studies in Australia: The Decade Reviewed’, *Australian Journal of Politics and History*, vol. 41, Special Issue, 1995, pp. 17-32.

conventional history. Matthews summarised feminists' criticisms of "contribution history", for using 'traditional conceptual frameworks, for slotting women into the empty spaces of male-defined historical scholarship, and for thus keeping women marginal to the standard canon of masculinist writing.' The feminist challenge was 'to recast the discipline of history so that women's lives and experiences were as integral to it as men's.'⁵³ She clarified the distinction between the two methodological approaches to feminist history:

women's history is that which seeks to add women to the traditional concerns of historical investigation and writing; feminist history is that which seeks to change the very nature of traditional history by incorporating gender into all historical analysis and understanding.⁵⁴

Matthews further argued that 'whereas subject matter is central to women's history ... what is central to feminist history is the recognition of gender relations as a major power dynamic within history.' Thus, while women's history adds women to the standard historical categories, feminist history adds gender as a problematic relationship.⁵⁵

Lake also urged historians interested in gender to move beyond women's history and the static concept of 'woman's role', saying:

it is time that gender became a central category of all historical analysis. For just as women's history cannot be fruitfully written without reference to men, neither can men's history be properly written without reference to men's relations with women.⁵⁶

She later argued for development of a deeper understanding of the historical construction of gender and its centrality to the 'dynamic and construction of major political movements' in Australian history.⁵⁷ The concept of gender:

has been valuable in alerting us to the problematic nature of masculinity as well as femininity, in pointing to men as well as women as historical subjects whose sexual identity was in need of historical investigation.⁵⁸

⁵³ Matthews, 'Feminist History', *op. cit.*, p. 148.

⁵⁴ *Ibid.*

⁵⁵ *Ibid.*, pp. 150, 152.

⁵⁶ Lake, 'The Politics of Respectability', *op. cit.*, p. 116.

⁵⁷ Lake, 'Women, Gender and History', *Australian Feminist Studies*, nos. 7/8, Summer 1988, pp. 3-4.

⁵⁸ *Ibid.*, p. 5.

However, she warned, to show that gender is central to the historical process, that gender is everywhere, does not necessarily show that women are. The need is to substantiate Joan Scott's claim that the use of gender as an historical category will 'make women visible as active participants' in history.⁵⁹ Feminist historical work, Lake believed, needed to proceed on two fronts:

We must deconstruct the 'universal' categories of historical analysis, interrogate masculine history, publicise its specificity ... But feminist history must also, simultaneously, construct the history of women ... We must constitute women as historical subjects and show not just that women have a history, but argue the significance of that history.⁶⁰

As these and other articles indicate,⁶¹ Australian feminist historians in the mid-1980s were influenced by Scott's paper, 'Gender: A Useful Category of Historical Analysis'.⁶² She argued that gender 'is a constitutive element of social relationships based on perceived differences between the sexes'; as well as 'a primary field within which or by means of which power is articulated.'⁶³ She outlined several ways in which the legitimising function of gender works, concluding with a point which is particularly pertinent to a study of gender relations in the labour movement:

When historians look for the ways in which the concept of gender legitimises and constructs social relationships, they develop insight into the reciprocal nature of gender and society and into the particular and contextually specific ways in which politics constructs gender and gender constructs politics.⁶⁴

The emergence of gender relations as a central analytical concept was not embraced by all feminist historians, both in Australia and elsewhere, many of whom worried that women might once again be subsumed or lost sight of, if 'gender studies' were to replace 'feminist history' or 'women's studies'.⁶⁵ An important problem is that the concept of

⁵⁹ *Ibid.*, citing Scott, *op. cit.*, p. 1075.

⁶⁰ *Ibid.*, p. 6.

⁶¹ See, for example, Susan Magarey, 'Australian Women's History in 1986', *Australian Historical Association Bulletin*, no. 52, October 1987, pp. 5-12.

⁶² Scott, *op. cit.*, presented to a Canberra conference in mid-1986.

⁶³ *Ibid.*, pp. 1067, 1069.

⁶⁴ *Ibid.*, p. 1070.

⁶⁵ Lake, 1988, *op. cit.*, p. 1; Saunders and Evans, *op. cit.*, p. xx. See also, Magarey, *op. cit.*, pp. 5, 6, 12.

gender is open to widely divergent interpretations, depending on the context and object. As Scott pointed out, it could be used narrowly as a synonym for 'women' or a substitute for the biological determinism implied in 'sex' or 'sexual difference', and could be confined to the 'private' realm of home, women and children and sexual-familial relations. In this descriptive usage, the big issues of history in the 'public' arena, such as politics, wars, class conflict and nation-building, do not appear to be affected by gender and thus, gender remains marginalised. The effect is 'to perpetuate the idea of separate spheres (sex or politics, family or nation, women or men)' in historiography, with gender lacking 'the analytic power to address (and change) existing historical paradigms.'⁶⁶

The challenge for feminist historians seeking to bring about far-reaching changes in historiography, rested on the development of gender as an analytical tool to help explore and explain the interactions of both men and women as active participants. For them, 'gender' was a theoretical advance on 'women's history' or 'women's studies', as it brought in the relational aspect of both sexes and the historical construction of notions of masculinity and femininity. That is, 'women and men were defined in terms of one another, and no understanding of either could be achieved by entirely separate study.'⁶⁷

As Saunders and Evans noted, 'gender' as a signifier:

has a radical, incorporative potential which takes us beyond the walled ghetto of women's history and compels us to contemplate new perspectives of total history. By treating both men and women as gendered categories - problematical, interactive and mutually defining ones - a new sense of historical dynamism is promoted. Men are no longer universalised and valorised; women are no longer segregated and ignored.⁶⁸

Over the last decade, Australian historiography, sociology, industrial relations, cultural studies and other disciplines have been theoretically and empirically enriched by the development of gender analysis. In the process, an assault has been made on the separation between the public/private 'separate spheres'. Historians have investigated

⁶⁶ Scott, *op. cit.*, p. 1057.

⁶⁷ *Ibid.*, p. 1054.

⁶⁸ Saunders and Evans, *op. cit.*, p. xxi.

wider dimensions of people's lives to illuminate the opportunities and constraints imposed through gender as well as class relations. They have utilised gender analysis in studies of the dynamics of male domination in the paid workforce, the ways that class and gender relations have intersected to keep women largely confined in low paid 'women's jobs' or to limited areas of 'men's work', and how this pattern of sex-segregation and unequal status has persisted over time and during periods of far-reaching technological change.⁶⁹ The point should be made here, however, that within Australian feminist historiography, this type of investigation of specific manifestations of gender relations was being carried out prior to recognition of the central importance of the concept of gender in the mid-1980s. That is, within the transition process from women's history to gender relations, some early feminist historians showed an acute awareness of 'gender analysis', although that terminology was not then used. This is indicated, for example, in Curthoys' comments in 1975 concerning the necessity for studying the bases for the entrenched sexual division of labour and her analyses in 1980 and 1986 of the material base of Australian working-class families and the reasons for the sex-based segregation of the labour market.⁷⁰ Also, in Daniels' 1977 observation, quoted earlier, about the need for historical examination of the integral role of women in the 'basic processes and relationships of society'.⁷¹ As Frances recently noted, 'despite a contemporary tendency to stereotype' the feminist historians of the late 1970s-early '80s, 'as simply adding women and stirring, many of these articles fundamentally questioned the ways in which women's work had been defined in the past.'⁷²

⁶⁹ Several such Australian studies are listed in Footnote 23. See also: Raelene Frances, 'Shifting Barriers: Twentieth Century Women's Labour Patterns' and bibliography, in Saunders and Evans (eds.), *op. cit.*, pp. 246-65; and Margaret Anderson, 'Good Strong Girls: Colonial Women and Work' in *ibid.*, pp. 225-45. Important overseas studies include: Heidi Hartmann, 'Capitalism, Patriarchy and Job Segregation by Sex', in Z.R. Eistenstein, *Capitalist Patriarchy and the Case for Socialist Feminism*, *op. cit.*, pp. 206-47; Cynthia Cockburn, 'The Material of Male Power', *Feminist Review*, no. 9, Autumn 1981, pp. 41-58; Veronica Beechey, *Unequal Work*, *op. cit.*, esp. ch. 3, 'The Sexual Division of Labour and the Labour Process: A Critical Assessment of Braverman'; and Beechey, 'Rethinking the Definition of Work: Gender and Work', in Jane Jenson et. al. (eds.), *Feminization of the Labour Force: Paradoxes and Promises*, Cambridge: Polity Press, 1988, pp. 45-62.

⁷⁰ Curthoys, 'Towards a Feminist Labour History', 1975, *op. cit.*; 'The Sexual Division of Labour Under Capitalism', in Grieve and Grimshaw (eds.), *op. cit.*; and 'The Sexual Division of Labour: Theoretical Arguments', in Grieve and Burns (eds.), *op. cit.*

⁷¹ Daniels, 'Introduction', *op. cit.*

⁷² Frances, 'The Impact of Gender Analysis on Australian Labour Historiography', unpublished paper presented to 'Labour History: Themes, Comparisons and Directions' Conference, University of Wollongong, 30 September-1 October, 1996, p. 2.

Game and Pringle's *Gender at Work*, published in 1983, was the 'first major Australian study to attempt gendered analysis of the organisation of work.'⁷³ Its theme was that 'gender is fundamental to the way work is organised; and work is central in the social construction of gender.' The authors argued that the sexual division of labour is a defining feature of capitalism, as central as wage labour or surplus value; that it operates not only at home and work, but is a basic dynamic in capitalist societies. Therefore, an adequate understanding of the social relations of work necessitates taking account of the ways in which gender relations and class relations shape each other.⁷⁴ In referring to the long-standing debate within feminist theory concerning the conceptualising of capitalism and patriarchy as two separate systems or as a 'dual system', Game and Pringle state:

we realised that gender is *built in* at the level of the production/consumption division and in the way in which the labour process is organised ... We do not have to prove that capitalism uses the sexual division of labour to increase profits and divide the working class. It is not 'functional' to capitalism in this one-to-one way but rather is a central part of it. This distinction ... meant rejecting the possibility of a 'non-patriarchal' capitalism and insisting that we cannot think capitalism without gender.⁷⁵

Connell's *Gender and Power*, published in 1987, was another important theoretical contribution to gender analysis. It aimed to outline 'a systematic social theory of gender' developed around three major structures of gender relations: labour, power and cathexis (emotional/sexual attachments). Connell maintained that the sexual division of labour has to be seen 'as part of a larger pattern, a gender-structured system of production, consumption and distribution.'⁷⁶ And in a reaffirmation of Game and Pringle's conclusion, he stated:

It must now be accepted that gender divisions are not an ideological addendum to a class-structured mode of production. They are a deep-seated feature of production

⁷³ Frances, 'Shifting Barriers', 1992, *op. cit.*, p. 257.

⁷⁴ Game and Pringle, *op. cit.*, pp. 14, 15.

⁷⁵ *Ibid.*, p. 23.

⁷⁶ R.W. Connell, *Gender and Power: Society, the Person and Sexual Politics*, Sydney: Allen & Unwin, 1987, p. 103.

itself ... Gender divisions are a fundamental and essential feature of the capitalist system; arguably as fundamental as class divisions.⁷⁷

The 1980s was a period of 'theoretical pluralism' in feminism⁷⁸, which has continued into the '90s, with many writers moving into diverse areas influenced by psychoanalysis, ideas of the body and sexual difference, discourse theory, deconstructionism and various strands of postmodernism. However, there has also been a marked increase in empirically-based research on women in the workforce, both in Australia and overseas, providing much detailed knowledge about women's work. As Beechey pointed out, these studies shifted the terrain of debate from the emphasis in the 1970s on the political economy of domestic labour and the relationships between production and reproduction, patriarchy and capitalism, so that 'today the relationship between gender and work has assumed a greater importance.'⁷⁹ For Beechey, the introduction of gender ideology into analyses of women's employment suggested a far-reaching critique of economically-based labour market and labour process theories:

If we are to take gender seriously it is necessary to broaden the analysis of work to encompass both the labour process and the family ... We also need to develop a more sophisticated analysis of reproduction ... More fundamentally, however, we also have to rethink our analysis of production and to theorise the ways in which gender enters into this domain. For if it is true that ideological constructions and gender relations enter into the organisation of work as recent research suggests, then we need to jettison the view that 'production' or 'the economy' are gender-neutral terms, and to think about labour markets and labour processes as places where gender relations are constructed and reconstructed.⁸⁰

She later elaborated her view that the labour market 'is not a sexually-neutral entity and that gender relations are embodied in the very organisation of production.'⁸¹

Frances' *The Politics of Work*, a detailed study of the experiences of women workers in three industries in Victoria over fifty years, was an excellent example of concrete investigation about the construction of gender relations in the labour process. She

⁷⁷ *Ibid.*, pp. 103-4.

⁷⁸ Beechey, *Unequal Work*, *op. cit.*, p. 16.

⁷⁹ *Ibid.*, p. 13.

⁸⁰ *Ibid.*, pp. 15-16.

⁸¹ Beechey, 'Rethinking the Definition of Work', *op. cit.*, pp. 49-50, 54.

demonstrated how the interaction of gender and class relations, together with State intervention and market, capital and technology factors, placed severe constraints on women's opportunities. The 'gender order' - defined as sexual divisions of labour in the home and workplace, ideologies of men's and women's place and constructions of masculinity and femininity⁸² - ensured that women remained in low paid and supposedly unskilled 'women's jobs'.

Another significant contribution to Australian historiography and gender analysis was made by Saunders and Evans' *Gender Relations in Australia*. This book depicted the ways in which gender interconnects with the categories of social history, race and class, production and reproduction.⁸³ It illustrated the dualistic processes of gender as domination and negotiation; that is, 'the interactive processes of (imperfect) male control and coercion and the female attempts to bargain against the logic of that control for increased privileges and resources.'⁸⁴ As American sociologists, Gerson and Peiss, pointed out: 'Male behaviour and consciousness emerge from a complex interaction with women as they at times initiate and control, while at other times, cooperate or resist the action of women.'⁸⁵ They argued that gender:

is defined by socially constructed relationships between women and men, among women, and among men in social groups. Gender is not a rigid or reified analytic category imposed on human experience, but a fluid one whose meaning emerges in specific social contexts as it is created and recreated through human actions.⁸⁶

This definition, Saunders and Evans say, recognises 'the importance of historical specificity in the study of gender relations' and acknowledges 'the vital significance of inter-gender *and* intra-gender discourses as well as the role of human agency in defending and altering social forms and consciousness.'⁸⁷ Flax aptly expressed the significance of gender analysis for feminist theory in the 1990s, when she said that:

⁸² Frances, 1993, *op. cit.*, p. 190.

⁸³ Josie Castle, 'Book Review', *Labour History*, no. 68, May 1995, p. 209.

⁸⁴ Saunders and Evans, *op. cit.*, p. xxii.

⁸⁵ Judith M. Gerson and Kathy Peiss, 'Boundaries, Negotiation, Consciousness: Reconceptualising Gender Relations', *Social Problems*, vol. 32, no. 4, 1985, p. 327.

⁸⁶ *Ibid.*, p. 317.

⁸⁷ Saunders and Evans, *op. cit.*, p. xix.

a fundamental goal of feminist theory is (and ought to be) to analyse how gender relations are constituted and experienced and how we think or, equally important, do not think about them.⁸⁸

Faced with a bewildering set of questions about gender, she went on

it is easy to overlook the fact that a fundamental transformation in social theory has occurred. The single most important advance in feminist theory is that the existence of gender relations has been problematised. Gender can no longer be treated as a simple, natural fact.⁸⁹

Finally, mention must be made of a further path-breaking book, published in 1994, which reinterpreted Australian history through a gender perspective. The authors of *Creating A Nation* challenged the traditional view of history which has seen the creation of nations as men's business with men as the main players. They asserted 'the agency and creativity of women in the process of national generation' and their role as major actors in colonial and national dramas. Their premise was that gender 'is integral to the processes that comprise the history of Australia - that political and economic as well as social and cultural history are constituted in gendered terms.'⁹⁰ Lake saw the book's publication as marking a new phase for Australian feminist history's 'engagement with nationalist historiography.' The authors 'aimed not so much to discredit the old stories as to advance a new one, with women not alienated from, but central to, nation-building.'⁹¹ They succeeded in that aim, notwithstanding criticisms of the book's shortcomings, omissions and inadequate referencing format,⁹² as well as a major negative critique by a fellow historian.⁹³ Curthoys, for example, regarded *Creating A Nation* as a significant book which clearly demonstrated 'that asking feminist questions has made Australian history much richer, more complex, and more interesting.'⁹⁴ Similarly, Frances noted that the book convincingly showed 'that gender analysis sheds

88 Jane Flax, 'Postmodernism and Gender Relations in Feminist Theory', in Linda J. Nicholson (ed.), *Feminism/Postmodernism*, New York: Routledge, 1990, p. 40.

89 *Ibid.*, pp. 43-44.

90 Grimshaw, Lake, McGrath and Quartly, *op. cit.*, p. 1.

91 Lake, 'Feminist History as National History: Writing the Political History of Women', *Australian Historical Studies*, no. 106, April 1996, p. 155.

92 See, for example, Ann Curthoys, Stephen Garton and Raelene Frances, 'Three Views On *Creating A Nation*', *Labour History*, no. 68, May 1995, pp. 196-208.

93 John Hirst, 'Women and History', *Quadrant*, March 1995, pp. 35-43.

94 Curthoys, 1995, *op. cit.*, p. 196.

new light on major themes in our past, enriching our understanding of how Australian society developed.’⁹⁵

This chapter sets the theoretical framework for utilisation of the concept of gender relations throughout the thesis. In analysing the empirical data concerning the attitudes and actions of key actors towards female employment in male industries during WWII, the major concept kept in mind was that of the dualistic processes of domination and negotiation, that is, of the interaction of male control and female contestation. Two primary considerations affected the approach taken to this study of the significant wartime changes in work opportunities and wages for a section of women workers, and of the fate of equal pay. Firstly, to be wary of projecting a 1990s feminist understanding of gender relations theory onto the social situation and consciousness of 1940s actors; and secondly, to seek to show from the empirical data how a complex mixture of social, ideological, political and economic factors influenced the actors’ motivations and priorities. The thesis illustrates the interactions of male power exercised through government, trade unions, employer organisations and other key institutions, with the women workers occupying ‘men’s jobs’ in the metal industry who, to some extent, contested that male dominance, and with other challenges to the dominant ideological perceptions of women’s role.

95 Frances, 1995, *op. cit.*, p. 206.

CHAPTER TWO

THE COMMUNIST PARTY of AUSTRALIA and WOMEN: THEORIES and PRACTICES, 1920s-30s

This chapter examines the Communist Party's theory on women's emancipation and its policies and activities in support of women workers. It aims to illuminate the strengths and limitations of theory and practice, in order to assess the effectiveness of the Party's efforts and its influence within the labour movement prior to World War II. It provides the context for the responses of communist-influenced unions to the issue of equal pay, both before and during the war. Part One explores Marxist-Leninist theoretical writings on the 'woman question', principally by Engels, Kollontai and Lenin; while Part Two examines the Party's 'work among women' and the issue of equal pay during the 1920s and '30s.¹

The existing literature about communist women and the CPA falls into two categories: autobiographical and biographical accounts which record the experiences of women within the party and their public activities as communists; and examinations of the CPA's policies and practices towards women, both within and outside its ranks.² These materials comprise much information about the political and personal lives of communist women and the activities of CPA members conducted under the general rubric of 'work among women'. However, two areas emerge as needing deeper study:

¹ The chapter does not claim to be a thorough analysis of the CPA's theories and practices towards women in the two decades. For wider examinations of this period, see particularly Joyce Stevens, *Taking the Revolution Home. Work Among Women in the Communist Party of Australia: 1920-1945*, Fitzroy: Sybylla Co-operative Press, 1987 and Joy Damousi, *Women Come Rally: Socialism, Communism and Gender in Australia 1890-1955*, Melbourne: Oxford University Press, 1994, esp. chs. 6 and 7.

² Nine autobiographies have been published to date, together with several biographical accounts of communist women, and numerous writings about the CPA's policies and practices towards women. For space reasons, details of this extensive literature are not listed here, but appear as a separate category in the Bibliography.

the theoretical foundation for the Party's policies and attitudes towards women; and its specific activities concerning women in the workforce. The tendency in much of the literature is to downplay or ignore the CPA's Marxist-Leninist theory, or to treat it reductively as Stalinist, and to dwell on the effects of the sexism endemic in organisations of the era. The importance of the CPA's theoretical basis for its approach to women and its relegation of the 'woman question' as secondary to the class struggle, has been inadequately analysed.³

Part One: The 'Woman Question' and the Marxist Legacy

In a well-known passage from *Capital*, Marx described the process of the involvement of women and children in social production as laying the basis for new and improved forms of relationships between men and women in the family:

However terrible and disgusting the dissolution under the capitalist system, of the old family ties may appear, nevertheless, modern industry, by assigning as it does an important part in the process of production, outside the domestic sphere, to women, to young persons, and to children of both sexes, creates a new economical foundation for a higher form of the family and of the relations between the sexes.⁴

Rowbotham commented that subsequent Marxists have found this passage to be problematical. The Marxist legacy has held that women must be involved in production as a precondition for their emancipation. But this has been seen 'as the only way in which they could exercise control as workers, rather than a basis for a new family and changed relations between the sexes.'⁵ That is, later communists took up one theme from Marx and Engels, but neglected the other. The need for women to move out of the domestic sphere into the workforce became the major focus for dealing with the

³ The books by Stevens (1987) and Damousi (1994) are exceptions.

⁴ Karl Marx, *Capital: A Critique of Political Economy*, Vol. I, Chicago: Charles H. Kerr & Co., 1906, p. 536.

⁵ Sheila Rowbotham, *Women, Resistance and Revolution*, Harmondsworth: Penguin, 1972, p. 74.

'woman question',⁶ while the wider implications for changes in the family and male-female relations were mostly disregarded.

Engels' famous work, *The Origin of the Family, Private Property and the State*, published in 1884, became the authority for Marxists on the 'woman question'. As Stevens noted, it provided the 'main theoretical foundation' for the CPA's approach to their work among women in the 1920s and '30s.⁷ Its lasting significance is attested to by its rediscovery by feminists in the 1970s-80s, concerned with the inadequacy of marxist analysis of women's oppression.⁸ In the Preface, Engels stated:

According to the materialistic conception, the determining factor in history is, in the last resort, the production and reproduction of immediate life. But this itself is of a twofold character. On the one hand, the production of the means of subsistence, of food, clothing and shelter and the tools requisite therefore; on the other, the production of human beings themselves, the propagation of the species. The social institutions under which men of a definite historical epoch and of a definite country live are conditioned by both kinds of production: by the stage of development of labour, on the one hand, and of the family, on the other.⁹

This passage clearly locates human reproduction in the material base of society, and assigns to the family a key role in social organisation. Engels thus 'views activities concerned with reproduction as analytically equivalent to those concerned with production in the understanding of human society.'¹⁰

His historical analysis leads him to conclude that the overthrow of mother right, the establishment of the monogamous family and the consequent subservience of women,

⁶ The term, the 'woman question', emerged within European socialist circles in the second half of the nineteenth century, as a 'shorthand' term for the complex of issues concerning women's subordinate position in society and the path to their emancipation. It continued to be used by socialists and communists as a generalised rubric for the range of problems relating to women's historical subordination. See Werner Thonessen, *The Emancipation of Women: The Rise and Decline of the Women's Movement in German Social-Democracy 1863-1933*, London: Pluto Press, 1973 (1969), p. 14; Louise C. Johnson, 'Socialist Feminisms', in Sneja Gunew (ed.), *Feminist Knowledge: Critique and Construct*, London: Routledge, 1990, fn. 2, p. 326; and Lise Vogel, 'Questions on the Woman Question', in *Monthly Review*, vol. 31, no. 2, June 1979, p. 42.

⁷ Stevens, *op. cit.*, p. 12.

⁸ Janet Sayers, Mary Evans and Nanneke Redclift (eds.), *Engels Revisited: New Feminist Essays*, London: Tavistock Publications, 1987.

⁹ Frederick Engels, *The Origin of the Family, Private Property and the State*, in Marx and Engels, *Selected Works, Vol. II*, Moscow: Foreign Languages Publishing House, 1951, pp. 155-6.

¹⁰ Jane Humphries, 'The Origin of the Family: Born out of Scarcity not Wealth', in Sayers *et. al*, *op. cit.*, pp. 13, 11.

resulted from changes in the mode of production arising out of male control of productive private property and accumulation of wealth. As the family was transformed into its private, monogamous form, its social importance was eroded: household administration lost its public and social character, while the wife was 'pushed out of participation in social production.' That is, the modern individual family 'is based on the open or disguised domestic enslavement of the woman.'¹¹ According to Humphries, the slippage between the status of human reproduction in the Preface and its role in Engels' subsequent analysis, constitutes a fatal flaw:

As human reproduction slides out of the material base, its organisation becomes dependent on the organisation of production. Hence ... the contradiction between men and women [becomes] subservient to that between capital and labour.¹²

Women's oppression 'is linked to the emergence of socioeconomic classes.' Engels' analysis violates his earlier depiction of reproduction 'as a second autonomous, if interrelated, moment of the material. Instead the family form and the relationship between the sexes is structured by the organisation of production.'¹³

Engels examined family forms at different stages of society, including the favourable status of women in the egalitarian, communistic households of pre-class societies. Because descent occurred through the female line, inheritance was passed down through the maternal side.¹⁴ Also, a 'natural' and non-antagonistic division of labour existed between the sexes within the family:

[The] division of labour was a pure and simple outgrowth of nature [or, purely primitive¹⁵]; it existed only between the two sexes. The man went to war, hunted, fished, provided the raw material for food and the tools necessary for these pursuits. The women cared for the house, and prepared food and clothing; they cooked, weaved and sewed. Each was master in his or her own field of activity ... Each owned the tools he or she made and used: the men, the weapons and the hunting and fishing tackle, the women, the household goods and utensils.¹⁶

¹¹ Engels, *op. cit.*, pp. 211-2.

¹² Humphries, *op. cit.*, p. 11.

¹³ *Ibid.*, p. 15.

¹⁴ Engels, *op. cit.*, pp. 185, 196.

¹⁵ The words 'purely primitive', rather than 'nature' or 'natural', are used in some translations. See, for example, the booklet of *The Origin* published by Current Book Distributors, Sydney, 1940, p.114, which is reprinted from the Fourth Russian Edition, Moscow, 1934.

¹⁶ Engels, *op. cit.*, p. 279.

In the case of separation, each sex owned their respective means of production. With the intensification of social production, men owned 'the new source of food stuffs - the cattle - and later, the new instrument of labour - the slaves.'¹⁷ Thus, increased productivity of labour in the male sphere 'led to the creation of a surplus which could be appropriated as wealth, and gave men a new economic power over women.'¹⁸ As women's labour became domesticated and privatised, their social position declined and they became men's property.¹⁹ Engels posited the woman as isolated within the household, excluded from direct participation in the changes within social production but suffering from their consequences:

[The man], presuming upon his wealth, pushed forward to first place and forced the woman into second place. And she could not complain. Division of labour in the family had regulated the distribution of property between man and wife. This division of labour remained unchanged, and yet it now put the former domestic relationship topsy-turvy simply because the division of labour outside the family had changed. The very cause that had formerly made the woman supreme in the house, namely, her being confined to domestic work, now assured supremacy in the house for the man: the woman's housework lost its significance compared with the man's work in obtaining a livelihood; the latter was everything, the former an insignificant contribution ... His achievement of actual supremacy in the house threw down the last barrier to the man's autocracy.²⁰

Male autocracy was 'confirmed and perpetuated' by the overthrow of mother right, the consequent masculine inheritance and the transition to monogamy.²¹ Engels described this overthrow as the '*world-historic defeat of the female sex*.'²² With the institution of monogamy based on male economic and sexual domination, came antagonism between the sexes. Thus, monogamy appears 'as the subjection of one sex by the other, as the proclamation of a conflict between the sexes' hitherto unknown.²³ The significant characteristic of monogamous marriage, Leacock commented, is its

¹⁷ *Ibid.*, p. 196.

¹⁸ Rosalind Delmar, 'Looking Again at Engels's "Origin of the Family, Private Property and the State"', in Juliet Mitchell and Ann Oakley (eds.), *The Rights and Wrongs of Women*, Harmondsworth, Penguin: 1976, p. 274.

¹⁹ Patricia Grimshaw, 'Reflections on Engels' *The Origin of the Family, Private Property and the State*', *Hecate*, vol. V, no. 1, 1979, p. 65.

²⁰ Engels, *op. cit.*, pp. 281-2.

²¹ *Ibid.*, p. 282.

²² *Ibid.*, p. 198.

²³ *Ibid.*, p. 204.

‘transformation of the nuclear family into the basic economic unit of society, under which a woman and her children became dependent upon an individual man.’ Arising in conjunction with exploitative class relations, this transformation resulted in the oppression of women.²⁴

Several major concepts emerge from Engels’ historical analysis, in terms of their lasting significance for Marxist theoretical understanding of women’s position in society. One is the counterposing of the ‘natural’ division of labour within the family to social divisions within production. Engels referred to the original division of labour in pre-class societies as a ‘simple outgrowth of nature’ or as ‘purely primitive’. Both he and Marx repeatedly characterised the division of labour in the family as stemming from biological reproduction and physical differences of the sexes.²⁵ The problem arises when the fact that the woman bears the children becomes another ‘obvious fact’: that *therefore*, the home is the ‘natural’ sphere of woman’s work. As Maconachie put it, if biology is immutable, so too is the sexual division of labour that allots domestic labour to women.²⁶ Engels’ historical account of women’s subordination to men ‘presupposes a division’ between the spheres of women’s and men’s work, and is based on the existence of the primitive sexual division of labour. He thus takes women’s responsibility for domestic labour as a given.²⁷ Maconachie contended that in Engels’ distinction between the sexual division of labour within the household/family and the social divisions of labour in the mode of production outside,²⁸ he ‘capitulates to naturalistic explanations of the relationship between men and women.’ Because he locates the great social changes as occurring within the male sphere and under male

²⁴ Leacock, Eleanor Burke, ‘Introduction’, in Engels, *The Origin of the Family, Private Property and the State*, New York: International Publishers, 1972, p. 29.

²⁵ For example, Marx and Engels referred to the division of labour as originally being ‘nothing but the division of labour in the sexual act’ for child breeding. - see *The German Ideology*, Moscow: Progress Publishers, 1964, pp. 42-3. Marx also wrote that within a family, ‘there springs up naturally a division of labour, caused by differences of sex and age, a division that is consequently based on a purely physiological foundation.’ - see *Capital*, *op. cit.*, p. 386.

²⁶ Moira Maconachie, ‘Engels, Sexual Divisions and the Family’, in Sayers *et. al*, *op. cit.*, p. 106.

²⁷ *Ibid.*, p. 105.

²⁸ See, especially, Engels, *op. cit.*, pp. 280-5.

control, he conceptualises women as being excluded from them.²⁹ Engels' failure to criticise the sexual division of labour, Delmar argued, marks the break between his analysis, and that of classical Marxism, and the feminist perspective. For Engels, this separation of responsibility falls outside of the problems of women's oppression; his criticism focuses on the relative economic weighting which forms of labour acquire, and the privatisation of domestic labour.³⁰

An important implication from Engels' work is that women's oppression had historic origins and therefore, was also capable of historic resolution.³¹ The patriarchal family and women's exploitation were not eternal, but had arisen with private property relationships and class conflict: they 'had a beginning and therefore could be expected to have an end.'³² The path to women's emancipation involved her full participation in social production, the lessening of her domestic labour through socialisation of housework and child care, her full legal equality with men, and her freedom in marriage. Her complete liberation, however, required the abolition of private property and transformation to a socialist society. The kernel of Engels' path to women's emancipation is in this well-known passage:

The emancipation of women and their equality with men are impossible and must remain so as long as women are excluded from socially productive work and restricted to housework, which is private. The emancipation of women becomes possible only when women are enabled to take part in production on a large, social scale, and when domestic duties require their attention only to a minor degree. And this has become possible only as a result of modern large-scale industry, which not only permits of the participation of women in large numbers, but actually calls for it and, moreover, strives to convert private domestic work also into a public industry.³³

Further, woman's full liberation as a free and equal partner in marriage and in society, depends on the abolition of capitalist production and the property relations it creates,

²⁹ Maconachie, *op. cit.*, p. 104.

³⁰ Delmar, *op. cit.*, p. 285. Engels simply states (p. 191): 'The division of labour between the two sexes is determined by causes entirely different from those that determine the status of women in society.'

³¹ *Ibid.*, p. 273.

³² Hilda Scott, *Women and Socialism: Experiences from Eastern Europe*, London: Alison & Busby, 1976, p. 34.

³³ Engels, *op. cit.*, p. 282.

thus removing 'all those secondary economic considerations which still exert so powerful an influence on the choice of a partner.'³⁴

Engels' assumption of a natural and physiological foundation for the division between the sexes, means that although he 'makes the family an object of historical enquiry [he] regards the relationship between men and women as already constituted.'³⁵ This and other aspects of his analysis have had the effect of stifling examination by later Marxists into the reasons for the continuing male oppression of women. Through their participation in social production, women would become not only workers, but potential revolutionaries alongside men in the class struggle. Thus, the path to their future liberation, as women, was inextricably linked with the liberation of the working class from capitalism. But even under capitalism, there is no basis for sex antagonism in proletarian families, Engels maintained, as these are not based on property relations and inheritance of wealth. Thus, 'there is no stimulus whatever here to assert male domination.'³⁶ With Engels' analysis as their theoretical foundation on the 'woman question', it is not surprising that most Marxists 'saw no need to deal in any depth with the question of women's oppression separately from class oppression.'³⁷ For twentieth-century communists the issues involved in women's particular oppression *as a sex*, became increasingly subsumed under the priority accorded to workers' oppression and the class struggle.

As a leading figure in the 1917 Bolshevik revolution and for women's emancipation in the new Soviet Union,³⁸ Alexandra Kollontai was an inspiration for Australian

³⁴ *Ibid.*, p. 218.

³⁵ Maconachie, *op. cit.*, p. 108.

³⁶ Engels, *op. cit.*, pp. 209-10..

³⁷ Carol Johnson, 'Some Problems and Developments in Marxist Feminist Theory', in Women and Labour Publications Collective, *All Her Labours: Vol. I. Working It Out*, Sydney: Hale & Iremonger, 1984, p. 125.

³⁸ Alexandra Kollontai (1872-1952) was actively involved in the socialist movement in Russia before going abroad in 1908 to avoid arrest. She joined the Bolshevik Party in 1915; at the Sixth Party Congress in July 1917 she was elected to the Central Committee and immediately after the October revolution, became Commissar of Social Welfare. She had long advocated the need for separate women's organisation within the party and in 1919, succeeded in having a women's department (Zhenotdel) established. (It was abolished by Stalin ten years later). Kollontai spent twenty years abroad

communist women in the 1920s.³⁹ Her influential pamphlet, *Communism and the Family*, was reprinted in Australia in 1920 and extracts published in the CPA press in 1927 and 1930-1.⁴⁰ However, references to Kollontai and her views concerning sexual relationships, women's role and the family, disappeared within the CPA from the mid-1930s. With Stalin's rise to power, her influence and ideas were attacked and undermined by the Soviet State's reversal of earlier marriage law reforms which, in effect, strengthened the family and motherhood.⁴¹ The publication in 1925 of Clara Zetkin's conversations with Lenin in 1920,⁴² particularly his criticisms of undue preoccupation with matters of love and sexual relations, further weakened Kollontai's influence. Likewise, in Australia, publication of extracts from Zetkin's book in the mid-1930s, 'helped to sweep Kollontai and her analysis of the family under the political mat in the CPA.'⁴³ Thus, with the restoration of traditional family ties in the Soviet Union under Stalin, when the 'mother-heroine' replaced earlier conceptions of the independent, politically active woman freed from domestic labour,⁴⁴ discussion of women's social and family roles or their particular problems, virtually disappeared from the CPA press.⁴⁵

Kollontai advocated that the proletarian class revolution had to be accompanied by a sexual revolution and a new ethos of communist morality which would enable men and women to relate as full equals, freed from oppressive bourgeois sexual and family

in effective diplomatic exile, retiring from public duties in 1945. She was the world's first woman ambassador (to Norway in 1924) and is also notable for being the only 'Old Bolshevik' to survive Stalin's purges. See Alix Holt, *Selected Writings of Alexandra Kollontai*, London: Allison & Busby, 1977; and Cathy Porter, *Alexandra Kollontai: A Biography*, London: Virago, 1980, which includes an extensive bibliography of Kollontai's writings.

³⁹ Edna Ryan, interview in Stevens, *op. cit.*, p. 121.

⁴⁰ Kolontay, Alexandra, *Communism and the Family*, Melbourne and Sydney: Andrade's Bookshop, 1920 (original reproduced by the Communist Party of Australia in 1971; the text is also reproduced in Holt, *op. cit.*, pp. 250-60). For extracts, see *Workers Weekly*, 4/2/27, p. 4; *Working Woman*, 15/12/30, p. 4 and 1/6/31, p. 4.

⁴¹ For discussion of these changes, see Stevens, *op. cit.*, p. 50; and Scott, *op. cit.*, p. 69.

⁴² Clara Zetkin, *My Recollections of Lenin*, Appendix in V.I. Lenin, *On the Emancipation of Women*, Moscow: Progress Publishers, 1965. (Zetkin's account is sometimes entitled *Reminiscences of Lenin*).

⁴³ Stevens, *op. cit.*, p. 51. The extracts appeared in *Workers Weekly*, 16/3/34, p. 3 and *Communist Review*, March 1935, pp. 14-24.

⁴⁴ Holt, *op. cit.*, p. 24.

⁴⁵ Stevens, *op. cit.*, p. 44.

relationships.⁴⁶ In her awareness of the ideological shifts that occur in people's attitudes towards traditional personal relations during periods of social transformation, and of the many-sided facets to women's oppression, Kollontai was far in advance of her fellow revolutionaries. She argued that socialist debate should include questions of sexual mores. While most socialists felt it sufficient to reject bourgeois values of morality, Kollontai believed that the fight to change the rules of human relationships was not only a beneficial, but an essential, part of the class struggle.⁴⁷ She criticised the idea:

that proletarian sexual morality is no more than 'superstructure', and that there is no place for any change in this sphere until the economic base of society has been changed. As if the ideology of a certain class is formed only when the breakdown in the socio-economic relationships, guaranteeing the dominance of that class, has been completed! All the experience of history teaches us that a social group works out its ideology, and consequently its sexual morality, in the process of its struggle with hostile social forces.⁴⁸

Unlike Engels, Kollontai saw the subordination of women as being connected with the sexual division of labour and as predating the emergence of private property. In a 1921 lecture, she said:

Many consider that the enslavement of women, her rightlessness, was born with the establishment of private property. Such an attitude is mistaken. Private property only helped enslave woman in places where woman has in fact lost her significance in production under the influence of the growing division of labour ... The enslavement of women is connected with the moment of the division of labour according to sex, when productive labour falls to the lot of man and secondary labour to the lot of woman.

Private property 'served to reinforce woman's inferiority by further increasing the division of labour, for with the creation of the individual family unit the woman became the preserver of the hearth.'⁴⁹

Kollontai's 1920 pamphlet, *Communism and the Family*, emphasised that economic factors are behind the family's disintegration and that the processes of change are

⁴⁶ See, for example, Alexandra Kollontai, *Sexual Relations and the Class Struggle* (1919), translated by Alix Holt, London: Socialist Workers Party, 1988.

⁴⁷ Holt, *op. cit.*, p. 207-8.

⁴⁸ Kollontai, *Sexual Relations...*, *op. cit.*, p. 16.

⁴⁹ Holt, *op. cit.*, p. 211.

irreversible. It aimed to reassure Soviet women that whilst there was no going back to the old ways, they should not be afraid of the new.⁵⁰ She pointed out that it is the universal spread of female labour that has contributed most to the radical change in family life; also that women suffer the weight of a 'triple burden' as workers, housekeepers and mothers.⁵¹ The individual household is giving way to collective housekeeping organised by the communist society, which also takes over the care of children.⁵² Further, a new form of marital relationship will replace the 'conjugal slavery of the past':

a union of affection and comradeship, a union of two equal persons of the Communist Society, both of them free, both of them independent, both of them workers. No more domestic servitude for women! No more inequality within the family ... that is what the Communist society of to-morrow offers to both men and women.⁵³

In 1918 Lenin observed that the success of a revolution depends on the extent of women's participation: 'There can be no socialist revolution, unless a vast section of the toiling women take an important part in it.'⁵⁴ He later wrote: 'The proletariat cannot achieve complete liberty until it has won complete liberty for women.'⁵⁵ Lenin saw that the mass of women had to be freed from the double oppression of their general social and legal inequality and their particular burden within the family. Immediately after the revolution, he initiated changes in marriage, divorce and abortion laws,⁵⁶ and he repeatedly stressed the urgent need for more nurseries, communal kitchens and other services, in order to free women from their domestic slavery and enable them to participate in public life. The 'main and fundamental thing' in Bolshevism and the October Revolution, he said in 1918:

⁵⁰ *Ibid.*, p. 213.

⁵¹ *Communism and the Family*, *op. cit.*, pp. 10-12.

⁵² *Ibid.*, pp. 18-20.

⁵³ *Ibid.*, p. 28.

⁵⁴ V.I. Lenin, Speech at First All-Russian Congress of Women Workers, 19/11/18, in *Women and Communism: Selections from the Writings of Marx, Engels, Lenin and Stalin*, Westport, Conn.: Greenwood Press, 1975, pp. 42, 43.

⁵⁵ Lenin, 'To the Working Women', *Pravda*, 22/2/20, in Lenin, *On the Emancipation of Women*, Moscow: Progress Publishers, 1965, p. 79.

⁵⁶ Rosalind Coward, *Patriarchal Precedents: Sexuality and Social Relations*, London: Routledge & Kegan Paul, 1983, p. 165.

is the drawing into politics of precisely those who were most oppressed under capitalism ... And it is impossible to draw the masses into politics without also drawing in the women; for under capitalism, the female half of the human race suffers under a double yoke ... they are, firstly, in an inferior position because the law denies them equality with men, and secondly, and this is most important, they are "in domestic slavery", they are "domestic slaves", crushed by the most petty, most menial, most arduous, and most stultifying work of the kitchen, and by isolated domestic, family economy in general.⁵⁷

Lenin emphasised that the socialisation of domestic labour was an essential part of the construction of socialism. 'In order to achieve the complete emancipation of women and to make them really equal with men, we must have social economy, and the participation of women in general productive labour,' he said in 1919.⁵⁸ Also: 'The real *emancipation of women*, real Communism, will begin only when a mass struggle ... is started against this petty domestic economy, or rather when it is *transformed on a mass scale* into large-scale socialist economy.'⁵⁹

Lenin was scathing in his criticism of the backward attitudes and behaviour of men, including communists, towards women and their domestic work:

Very few husbands, not even the proletarians, think of how much they could lighten the burdens and worries of their wives, or relieve them entirely, if they lent a hand in this 'woman's work' ... The domestic life of the woman is a daily sacrifice of self to a thousand insignificant trifles. The ancient rights of her husband, her lord and master, survive unnoticed.⁶⁰

'Our communist work among the masses of women, and our political work in general', he said, 'involves considerable educational work among the men. We must root out the old slave-owner's point of view, both in the Party and among the masses.'⁶¹ Lenin was equally sharp against those parties of the Communist International (Comintern) which had not done as much as they should about the organisation of women:

Their occasional recognition of the need and value of a purposeful, strong and numerous communist women's movement is but platonic lip-service rather than a steady concern and task of the Party. They regard agitation and propaganda among women and the task of rousing and revolutionising them as of secondary importance, as the job of just the women Communists.⁶²

⁵⁷ Lenin, *Women and Communism*, *op. cit.*, pp. 45-6.

⁵⁸ Lenin, Speech at Non-Party Conference of Women Workers, 1919, in *ibid.*, pp. 52-3.

⁵⁹ Lenin, 'A Great Beginning', 28/6/19, in *ibid.*, p. 56.

⁶⁰ Zetkin, *op. cit.*, pp. 114-5.

⁶¹ *Ibid.*, p. 115.

⁶² *Ibid.*, p. 114.

Lenin urged Clara Zetkin to incorporate two specific issues in the planned Comintern thesis on women: the absolute link between women's emancipation and the class struggle to overthrow capitalism, and the required organisational forms for women communists. It must emphasise that women's true emancipation is not possible except through communism, he said, that there is an 'unbreakable connection between women's human and social position and the private ownership of the means of production.' He emphatically opposed any idea of separate party structures only for women: 'We want no separate organisations of communist women! She who is a Communist belongs as a member of the Party, just as he who is a Communist. They have the same rights and duties.' However, the Party must have working groups or commissions for the purpose of 'rousing the broad masses of women, bringing them into contact with the Party and keeping them under its influence.'⁶³

Both of Lenin's points were subsequently incorporated in the thesis adopted by the Third Comintern Congress in July 1921. It represented the most thorough synthesis to date of Marx's and Engels' theory with Leninist practice and remained for many decades as *the* communist answer to the 'woman question'. It maintained that without the active participation of the broad masses of working women, the proletariat cannot 'seize power nor realise communism.' Also, that without communist support for all projects leading to women's liberation, 'the recognition of women's rights as equal human beings and their real emancipation cannot in practice be won.' Thus, the two struggles - of women and the proletariat - must be fought as 'a single and indivisible' struggle. 'There is no "special" women's question, nor should there be a special women's movement.'⁶⁴ The Comintern directed all affiliated parties to conduct work among women, to include them in the party, the trade unions and other militant class organisations with equal rights and responsibilities and draw them into all areas of

⁶³ *Ibid.*, p. 110.

⁶⁴ *Theses, Resolutions and Manifestos of the First Four Congresses of the Third International*, Translated by Alix Holt and Barbara Holt, Introduced by Bertil Hessel, London: Ink Links, 1980, pp. 213-5. The 1921 thesis is entitled 'Methods and Forms of Work among Communist Party Women'.

active working-class struggle. A 'special apparatus' must be established for conducting this work, comprising departments or commissions attached to and led by every party committee from the Central Committee down.⁶⁵ The tasks of these women's commissions, together with methods of agitation and propaganda, were fully detailed.⁶⁶

Marxist theory has recognised that women suffer particular oppression by virtue of their historical subjugation to men, as well as the class oppression of capitalism. Women's oppression stemmed from an economic foundation, arising historically with the development of class relations; that is, the relations of production determined the relations of reproduction. The Marxist lesson was that women's emancipation was dependent upon successful resolution of the class struggle. Meantime, women's entry into social production outside the confines of home and family would draw them into participation in the class struggle, thus helping to ensure their future emancipation. The complexities of the long-standing social phenomena of women's oppression, its manifestations in sexual relations, in marriage and the family, in the institutions and practices of society, as well as the continuing strength of male domination over women's lives, were not only inadequately theorised, but given a simple 'solution' which discouraged any deeper examination.

Examination of the Marxist theoretical canon reveals the historical tension therein between class and gender oppression and its eventual 'resolution' as embodied in the Comintern's 1921 thesis on women and the ongoing policies and practices of affiliated communist parties. Engels exemplified the position that women's oppression had a class basis and that the solution to their emancipation rested on successful class revolution; and Lenin emphasised the necessity of freeing women from their domestic drudgery and confinement in the family, to enable their participation in social-political

⁶⁵ *Ibid.*, pp. 217-8.

⁶⁶ *Ibid.*, pp. 218, 224-7.

life. Kollontai represented the other side of the tension between the class basis of women's oppression and its longer-standing basis, in her theoretical and practical understanding that the class solution was only part of a wider struggle to achieve women's full liberation. To sweep away all remnants of women's oppression, the class revolution had to be accompanied by a sexual revolution. By the end of the 1930s, Soviet women had been granted legal equality, access to child care, education and other social welfare measures to facilitate their large-scale participation in the workforce. However, the sexual division of labour remained largely unchanged and the family institution had been strengthened. Furthermore, Kollontai's visions of a new communist morality which would transform male-female relations and the family, had virtually disappeared.

Part Two: The CPA and Women, 1920s-30s

The resolution on work among women adopted by the 1921 Third Comintern Congress was reflected in the Australian Party the following year. In August 1922, the CPA's paper stated:

While there is no "separatist" women's movement, there is necessity for the organisation of communist women to proceed along somewhat different lines than general party organisation, at least in the earlier stages.⁶⁷

This editorial note prefaced an article by Christian Jollie Smith, one of a group of twenty-six socialists who had founded the CPA in late 1920.⁶⁸ Whilst her article reflected the class politics and anti-feminism embodied in the Marxist theory on the 'woman question', it also showed an awareness of the particular oppression women experience:

⁶⁷ *The Communist*, 18/8/22, p. 2.

⁶⁸ Three women attended the founding conference in Sydney on 30/10/20: Christian Jollie Smith, a Melbourne solicitor, Marcia Reardon from the Australian Socialist Party and Adela Pankhurst Walsh, former activist in the Victorian Socialist Party.

It is at least twice as hard for a woman to be a communist as a man. Woman has for centuries been the domestic slave; her brain has been starved ... Men have always lived partly upon the labour of women, and it is because of this heritage behind her, this latent resentment against all men who have lived on this toil of hers; this smouldering fire of injustice ... that it is a double task for women to enter into the working class struggle. She has seen her oppressor always in the form of her man; not in the system ... [But] that is not the way ... If they show their resentment at their repression by man it will only set the clock back, put the emancipation of the working class years further away, and put the emancipation of women as a sex last of all. She must realise that as she has been the slave of a slave for centuries, so the only way to get her freedom is for him to get his; and that she must join him and help him to win his freedom first ... Women who cannot act in this spirit ... will only bring disruption, strife, bitterness and misunderstanding by carrying their sex war into the class war.⁶⁹

Those women who 'can prove their worth in this greater war for the freedom of the working class' are the women the Communist Party is eager to welcome into its ranks, she concluded.

Within Jollie Smith's article can be seen signs of the dilemma that the CPA was to experience for many years in its efforts to find the right formula for attracting and involving women. On what basis could working-class women be won to the communist cause and how did their particular problems or concerns fit into an essentially male organisation driven by the class struggle? Smith recognised that when the 'crushed rebelliousness' of a woman is woken by a call to action, her response stems from her knowledge of male injustice, of centuries of 'imposed toil for others.' She can become a 'violent anti-man feminist', or she can 'forget her personal resentments' and join with men in the class struggle. Or, as Stevens put it, it is her resentment of male exploitation that arouses her to politics, but this resentment must remain stifled in the wider interests of class.⁷⁰ The view that women must put class and party first, was also reflected in the CPA's and the Comintern's frequent assertions against any notion of a separatist organisation for communist women.

⁶⁹ *The Communist*, 18/8/22, p. 2.

⁷⁰ Stevens, *op. cit.*, p. 25.

Formation of women's groups for propaganda and educational purposes was recommended at the end of 1922,⁷¹ but it took nearly four years for a women's group to begin functioning in Sydney, and later in other centres. There were only ten women CPA members in Sydney in 1927 and another twenty elsewhere,⁷² while throughout its first decade the Party struggled to develop its role in the labour movement and even to maintain its viability.⁷³ In mid-1926, Hetty Ross, a Central Executive member, introduced a women's section in the Party's paper. 'We must make them understand that the woman of the working class has no interest apart from the man worker,' she wrote.⁷⁴ She later explained the purpose of the communist women's group:

It is to be by no means taken that women's interests in the working class movement differ from those of their men comrades, but rather that for the purpose of efficiency, the group has achieved separate existence in order to deal with problems which confront women primarily, as well as to conduct propaganda for the sole purpose of interesting and recruiting other women.⁷⁵

Ross cited women's 'political backwardness' as a justification for having a section to deal with women's questions separately.⁷⁶ This theme was frequently invoked by the CPA during the 1920s-30s to explain why women were not visibly active in the class struggle.⁷⁷ She also warned about the dangers of feminism: 'A women's organisation invariably presupposes a division according to sex, regardless of class.' But the communist women's section aims to make the working class 'one and indivisible.'⁷⁸

The women's group developed into the Militant Women's Group (MWG) during 1927, with a looser connection with the Party. Hetty Ross explained to the CPA's seventh

⁷¹ Minutes of CPA Annual Conference, 27/12/22, Box 1, MSS 5021, Add-on 1936, Communist Party of Australia Archives, Mitchell Library. Also, *The Communist*, 12/1/23, p. 4. [All references hereafter to the CPA Archives are to ML MSS 5021, Add-on 1936].

⁷² Tom Wright, 'Report on Work Among Women in Australia', 27/9/27, File 495-94-35, FM4/10416, Comintern Archives, Mitchell Library.

⁷³ In 1925, the national membership figure was barely 250, with less than half financial; in 1927, it was 296 - see Stuart Macintyre, 'Dealing with Moscow: The Comintern and the Early History of the Communist Party of Australia', *Labour History*, no. 67, November 1994, pp. 135, 136. A report on membership in the Sydney District in August 1927 gives the number of members there as 111 - Minutes of Central Executive Meeting, 8/8/27, Box 3, CPA Archives.

⁷⁴ *Workers Weekly*, 28/5/26, p. 4.

⁷⁵ *Ibid.*, 3/9/26, p. 4.

⁷⁶ *Ibid.*, 17/9/26, p. 4.

⁷⁷ As Stevens pointed out, it 'neatly excused the Party from further considering why more women did not join the Party or participate in public politics.' - Stevens, *op. cit.*, p. 30.

⁷⁸ *Workers Weekly*, 28/1/27, p. 4.

annual conference in December that because of 'the backward political consciousness of even the so-called advanced women', the group was reorganised, office bearers were appointed and it was described as a 'working class movement'. However, the Party members in the group held separate caucus meetings to decide on policy.⁷⁹ By 1929, seven groups had been formed in other centres. As the Militant Women's Movement, they published a small monthly paper, *The Woman Worker*, from late 1928 until early 1930. Members were particularly active in organising support for striking workers and their wives during three major industrial disputes: the waterside workers' dispute in 1928, the timber workers' strike in 1929 and the coal-miners' lock-out in 1929-30.⁸⁰ In October 1929, the Movement's first national conference mapped out plans for its future development and activities, especially directed towards women workers in industry.⁸¹ However, it was dissolved some months later. The CPA's reasons for taking this action undoubtedly included apprehension about continuing a women's movement that it did not directly control. Another important factor was the Party's adoption of the 'Class Against Class' policy laid down by Stalin through the Comintern, which greatly hindered opportunities for united action with ALP and other left activists. An internal struggle culminated in 1930-31 with the ascendancy of a leadership group committed to this policy of winning the allegiance of the working class away from the 'social fascist' ALP. Along with this went the 'Bolshevisation' of the Party, wherein members' work was reorganised under the tight direction of higher bodies.⁸²

⁷⁹ 'Militant Women's Group Report', Minutes of CPA Seventh Annual Conference, 24-28/12/27, Box 1, CPA Archives.

⁸⁰ Stevens, *op. cit.*, p. 29. For details of activities during the timber workers' strike, see Edna Ryan interview in Stevens, pp. 127-30; Audrey Johnson, *Bread & Roses*, Sydney: Left Book Club, 1990, pp. 19-22; *Workers Weekly*, 25/1/29, p. 1, 15/2/29, p. 2, 22/2/29, p. 2 and 8/3/29, p. 1; and 'Report of Activities of Sydney Militant Women's Group amongst the Wives of the Timber Workers', 23/5/29, File 495-94-52, pp. 9-13, FM4/10417, Comintern Archives, Mitchell Library.

⁸¹ 'Report of Conference of Militant Women's Movement of Australia', Sydney, 5-6 October, 1929, Box 18, Z267, Tom and Mary Wright Collection, Noel Butlin Archives Centre. See also *Workers Weekly*, 18/10/29, p. 3 and 1/11/29, p. 4. The MWM's demands for women workers included: equal pay for equal work, no overtime while there is unemployment, no piecework, 6-hour day for young workers, basic wage maintenance for unemployed and a fortnight's annual holiday on full pay.

⁸² For accounts of these events in the CPA, see Alastair Davidson, *The Communist Party of Australia: A Short History*, Stanford: Hoover Institution Press, 1969, pp. 48-53; Macintyre, *op. cit.*, pp. 138-41; and Beris Penrose, 'Herbert Moxon, a Victim of the "Bolshevisation" of the Communist Party', *Labour History*, no. 70, May 1996, pp. 92-114. Johnson comments that in the wake of the internal

For the communist women of this time, there was no question about the primacy of class over gender politics. As an active Sydney member, Lindsay Mountjoy, wrote in 1928, 'unlike middle-class feminist movements', the Militant Women's Group 'is not based on sex antagonism, but on the class struggle':

We recognise that our sex cannot be free until our class - men and women alike - is liberated from the economic servitude of capitalism. So members ... stand shoulder to shoulder with their menfolk in true comradeship, striving against the common enemy.⁸³

Although there seemed little risk of the group getting out of hand, early signs of unease in the CPA can be seen. In January 1928, the Central Executive's organisational department resolved that Party members in the MWG 'must hold regular fraction meetings and act under' the department's direction.⁸⁴ This directive was reiterated in a *Party Training Manual* issued that year.⁸⁵ Shortly after, it was decided to establish a Women's Department, under the Central Executive's control, to take charge of work among women. The approach taken by Party members within the Militant Women's Movement was also corrected. The MWM should comprise local groups operating under the local Party executive's direction; therefore, its planned conference will not consider formation of a central committee or constitution, but 'will simply deal with general questions', such as organisation of women workers and housewives. The 'error committed' in preparing MWM members for establishment of a national

political struggle and attacks on deposed leaders, members of the Militant Women's Group 'were scattered, told to work in other organisations.' - Johnson, *op. cit.*, p. 27. It was also not coincidental that Stalin had abolished the Soviet Party's women's section, Zhenotdel, at the end of 1929, on the grounds that its tasks had been completed - see Beatrice Farnsworth, 'Bolshevism, the Woman Question, and Aleksandra Kollontai', in Marilyn J. Boxer and Jean H. Quataert, *Socialist Women: European Socialist Feminism in the Nineteenth and Early Twentieth Centuries*, New York: Elsevier, 1978, p. 200; and Porter, *op. cit.*, pp. 448-9.

⁸³ *Workers Weekly*, 23/3/28, p. 3.

⁸⁴ Minutes of Central Executive Organisational Department meeting, 20/1/28, File 'C.E. Minutes 1926-30', Box 3, CPA Archives. The communist movement term, 'fraction', denotes a group, or cell, of party members in a workplace or mass organisation who aim to influence policy and directions.

⁸⁵ *Party Training Manual*, Sydney: Communist Party of Australia, 1928, p. 83. It specified Party tasks among women as: recruiting women as full-fledged party members; bringing women workers into the MWM's agitational and propaganda work; fighting against male prejudices towards women and strengthening in men and women the consciousness of their mutual interests; political education and training of women party members; work among women in industry, to rouse them 'to fight against being used as cheap labour in competition with men by demanding equal pay for equal work irrespective of sex'; and work among housewives.

organisation, should be counteracted.⁸⁶ The MWGs continued to function through 1929 and the first half of 1930, under tight direction from the Women's Department;⁸⁷ after their demise around mid-1930, all work among women was conducted through the department.⁸⁸

In March 1930, Hetty Weitzel (formerly Ross) sharply criticised the neglect of women to date by communists:

We have been quite content to 'organise' a small group of women (mainly communists), designate to them a name (Militant Women's Group) and, excepting on special occasions, such as International Women's Day or in a strike or lockout - where we use the M.W.G. to organise strikers' wives - forget about their very existence. As to the great numbers in industry - nothing. As to attempting to organise shop and job committees - nothing ... We have neglected them in the past but it cannot continue!⁸⁹

Shortly afterwards, the Central Committee declared that the Party 'has been guilty of the most shameful neglect of work among women, and only now is there any evidence of a serious approach to the problem of drawing working women' into its ranks.⁹⁰

This recognition of the need to improve the perennial problem of the organisation of women, was carried through to the Tenth Congress in April 1931. In presenting the Women's Department's report, Lindsay Mountjoy sharply criticised the whole Party's 'serious underestimation' of the importance of conducting special work among women.⁹¹ Several issues emerged in the discussion concerning the current state of the CPA's work among women, particularly the poor organisation at all levels; lack of recognition that it was a political task for all members, not only women; admissions of

⁸⁶ Conference of C.E. Organisation Department and Members of Provisional Executive of the Militant Women's Movement, 10/2/29, File 'C.E. Minutes 1926-30', Box 3, CPA Archives.

⁸⁷ Report by Hetty Weitzel (formerly Ross), Minutes of CPA Ninth Annual Conference, December 1929, Box 1, CPA Archives.

⁸⁸ A document setting out the CPA's reorganised structure following the 'Bolshevisation' process, stated that 'under no circumstances shall the women's department function as a "woman's" nucleus of the party, but functions as a cadre of *specialists* directing the work among working women and wives of working men.' See File 'Correspondence (Miscellaneous)', Box 4, CPA Archives.

⁸⁹ *Workers Weekly*, 7/3/30, p. 1.

⁹⁰ *Australia's Part in the World Revolution: Theses of the Central Committee Plenum, Communist Party of Australia, June 28th and 29th, 1930*, Sydney: Communist Party of Australia, 1930, p. 40.

⁹¹ 'Report and Discussion on Work Among Women', Minutes of Tenth Congress, 4-8 April, 1931, Box 1/CY3096, CPA Archives.

uncertainty about how to go about it; resistance by many men to being involved with 'women's work'; and concerns about the danger of feminism arising from separate women's organisation. The poor results achieved to date from the party's work among women were shown in the current membership figures: of 1,135 members, about 100 were women.⁹² Herbert Moxon, former general secretary, put the problem down to most members, including himself, not even understanding the question, let alone the answer:

What is wrong with our work among women? Very few in our party understand it. It is underestimated because of the low ideological level of our party ... The party as a whole does not know why we should organise women. It is not distinct and separate to the general question of the working class ... We have to drop the idea that the women's question is a job for the women, or a job for the women's department ... It is repeated over and over again that the CC and the rest of the departments underestimate the role of women. I do not yet know what our work is among women.⁹³

The Congress resolution noted that the 'opportunistic underestimation' of work among women, is 'based upon an inability to understand the increasingly important role that women play in industry.' The winning of women workers from the factories 'must be intensified many fold.'⁹⁴ Mountjoy's report had spelt out three main directions for the CPA's future work: developing contact with women workers through factory-gate meetings and assistance with industrial struggles; winning women workers into the Militant Minority Movement; and organising work among unemployed women workers and wives of unemployed men. Over the next several years, these three areas became the main concentrations for its work among women.

Throughout the 1930s, however, the CPA continued to be an overwhelmingly masculine organisation centred on waging the class struggle among the male working

⁹² *Ibid.*; *Workers Weekly*, 29/5/31, p. 3. In December 1932, women numbered 216 out of a total membership of 1,929 - see Minutes of Third Central Committee Plenum, 25-27/12/32, File 'C.C. Minutes: 1932-35', Box 3, CPA Archives.

⁹³ Tenth Congress Minutes, *op. cit.* Moxon was elected general secretary at the Ninth Conference in December 1929, and replaced by Edward Docker shortly before the Tenth Congress - see Penrose, *op. cit.*, p. 105.

⁹⁴ *Workers Weekly*, 10/4/31, p. 6; 29/5/31, p. 3. See also *Working Woman*, 1/6/31, p. 4, for text of Congress resolution on women.

class in heavy industry. No-one doubted that the 'woman question' was subsidiary to the class struggle. Thus, work among women, even if directed towards organising female factory workers, was always treated as secondary to the party's major political work. Despite their small numbers and other difficulties, communist women campaigned vigorously in defence of the rights of working and unemployed women, and also maintained production of *Working Woman* and later, *Woman Today*, through the decade. However, their efforts did not result in much improvement in terms of the CPA's membership gender imbalance, or in changing members' attitudes towards 'women's work' and finding the right organisational formula for carrying it out. During most of the 1930s, the proportion of women members remained abysmally low. Of 1,929 members on the books at the end of 1932, 216 or 10.45% were women.⁹⁵ Two years later, women comprised only 8% (226) of the membership of 2,824.⁹⁶ In April 1936, membership figures from three districts were: Sydney/NSW: 113 women out of 987; Melbourne/Victoria: 73 out of 587; and Brisbane/southern Queensland: 13 out of 252.⁹⁷ The situation improved in the late '30s, when the proportion of female members rose to perhaps 13-14%. The rapid growth in the total membership during WWII brought more women into the ranks, but not sufficiently to reach the party's goal of 25%.⁹⁸

Within two years of the 1931 Congress, the organisational structure for conducting the CPA's work among women again changed, with the Women's Departments being scrapped in December 1932.⁹⁹ The result was that the work ground to a halt. As Jean

⁹⁵ Minutes of Third Central Committee Plenum, *op. cit.*

⁹⁶ Len Donald, 'Forward to a Mass Bolshevik Party', *Communist Review*, [hereafter *CR*], April 1935, pp. 49-50. The percentages of women by districts was given as: Sydney/NSW country: 11%; Brisbane/southern Queensland: 5%; Melbourne/Victoria country: 11%; South Australia/Broken Hill: 5%; Western Australia: 4%; North Queensland: 1%.

⁹⁷ 'Report on Organisation' to Central Committee meeting, 10-12/4/36, File 'C.C. Minutes 1936-1940', Box 4, CPA Archives. See also, CC Circular to District Committees, 17/4/36, File 'C.C. Circulars and Statements, 1933-1941', Box 5, CPA Archives.

⁹⁸ In June 1942, at the start of a six-months drive to more than double the membership, the proportion of women was 16%; however, it rose by only 0.8% in two months, while in the same period 2,639 new members were gained - see *Party Builder*, no. 4, September 1942, p. 7. Over the two years, 1942-43, the female proportion stayed at around 16-17% - see J.B. Miles, *Work Among Women*, 'How to Organise' Series No. 6, Sydney: Communist Party of Australia, n.d. [1943], p. 3.

⁹⁹ 'Organisation Report', Minutes of Third Central Committee Plenum, *op. cit.*

Thomson later reported, attention to work among women was 'very bad' during the first half of 1933, with the work going back instead of forward:

One of the main reasons for this was the mechanical liquidation of women's departments. This work, directed and taken up in a planned way, went out of business altogether ... Instead of the party committees giving attention, guiding, planning and directing the work among women, they ceased to give it attention at all.¹⁰⁰

In mid-1935 Hetty Weitzel called for greater encouragement to Party committees to take up the work and to 'explode the idea' that there are no forces and no time for it. This view 'implies a separation of work among women from Party work in general and is responsible for our backwardness in this respect.'¹⁰¹ A central Women's Bureau was established in 1935, which was renamed the Women's Organising Committee in 1938;¹⁰² similar district committees were also established.

Meantime, the political importance of work among women continued to be stressed in conferences, articles and leadership directives. Members were repeatedly reminded that it was a task for the whole Party, not only the women; about what Lenin or Zetkin or the Comintern had to say on the subject; and about the need to guard against the dangers of separatism and feminism.¹⁰³ In 1935 they were urged to organise working women into 'special flexible forms of organisation':

on the basis of their immediate demands, having concrete connections with the organisations and struggles of male workers. Through this method ... the antipathy of women to joining "men's organisations", caused by their backwardness and feelings of inferiority, can be overcome.¹⁰⁴

Thus, the failure to recruit women was explained as stemming from the women, not from the Party or its message. Men were continually urged to work among women and to recruit them, but little serious attempt was made to discern why this was not

¹⁰⁰ Minutes of Fourth Central Committee Plenum, 31 March and 1-2 April, 1934, Box 3, CPA Archives. Thomson's edited speech was also published in *CR*, April-May 1934, pp. 59-62.

¹⁰¹ Minutes of Central Committee meeting, 1/6/35, Box 3, CPA Archives.

¹⁰² Speech by Hetty Weitzel, Minutes of Eleventh Congress, December 1935, Box 1/CY3096; and Minutes of Political Bureau meeting, 24/5/38, File 'P.B. Minutes: 1933-38', Box 15, CPA Archives.

¹⁰³ See, for example, Robert Cramm, 'International Women's Day', *CR*, March 1935, pp. 10-14; Miles, J.B., 'Women in the Party', *CR*, July 1937, pp. 60-1; Hetty Weitzel, 'International Women's Day', *CR*, March 1939, pp. 141-4.

¹⁰⁴ Cramm, *op. cit.*, p. 13.

happening. A woman member thought that one of the CPA's 'greatest weaknesses' in its work among women:

is the idea that women should only be approached by women or that women can more easily organise women. This has very little foundation in fact, yet we discover politically backward male members ... evading in an opportunist manner work among women under this plea.¹⁰⁵

And a male member believed that the main reason preventing many women from participating in Party activities 'is the attitude adopted by the men comrades to the matter.' They feel that 'while it is quite all right for the other fellow's womenfolk to join the party, it is not right that their own women should do so.'¹⁰⁶

From the mid-1920s and through the '30s, communist women were in the forefront of agitation in support of working women's rights, especially their right to work and to receive a decent living wage for their labour. They called on the trade union movement to accept that women workers were now permanently in industry, that their exploitation and cheap labour threatened men's jobs and wages and that they must be organised on the same basis as male workers. In line with its theory the CPA advocated that women be freed from the sole burden of domestic servitude and be encouraged to work outside the home, thereby securing economic independence from their husbands. Their entry into the industrial workforce was seen as a necessary step towards their full liberation under socialism. In a period when the dominant ideological expectation of women's role was that of housewife and mother, the Party's policies were far in advance of majority views. The CPA was not alone in supporting women's equality, of course - various socialist groups, feminists and Labor women had long held similar positions. But in the late 1920s and particularly through the depression years, when working women were widely blamed for 'taking men's jobs', it stood out as an advocate of women's right to work and to equal pay.

¹⁰⁵ *Working Woman*, February 1933, p. 2.

¹⁰⁶ *Workers Weekly*, 18/5/34, p. 3.

The Party's argument for women's equality was invariably presented as a class issue, as opposed to feminist encouragement of 'sex antagonisms'. It emphasised the advancement of working-class unity against the common enemy of capitalism, which seeks to maximise profits by using cheaper female labour wherever possible. Therefore, unions must organise women workers and fight to achieve equal pay for equal work, in order to preserve male jobs and wage rates. Whilst the particular needs of working women were certainly supported, the dominant concern was the interests of the whole class. 'Women workers must line up with the men, against their common enemy - the boss class,' a 1927 pamphlet declared. 'The very conditions that force both men and women into the industries demand a united front, to the total exclusion of all sex barriers, for the abolition of the present system of society.'¹⁰⁷ However, while emphasising unity, women communists of the 1920s did not shy away from criticising male workers and unions for ignoring the plight of female workers. As one wrote:

The unionists who insist on immigrant labour enjoying the wages and conditions which prevail here, witness without emotion the women working side by side with men in industry, receiving less wages for practically equal work.¹⁰⁸

Men's indifference towards the organisation of women was explained as stemming from their resentment of women, whose low wages and poor conditions affect male workers' standards. 'It is time that this short-sightedness was recognised as one of the biggest menaces' to the men themselves and to the whole working class.¹⁰⁹ Another writer warned that unorganised woman is 'an ever-ready tool' in the hands of employers, to be used to undermine the organisation man has built up. 'Deprived of effective means of resistance, she is forced to accept lower wages and work longer hours and so undercuts man in the labour market.'¹¹⁰ In 1932 male workers were again chastised for their slowness in developing unity with working women:

Workingmen have been slow to recognise the imperative need for organising with the women of their class in defence of their conditions, and this division in

¹⁰⁷ *Woman's Road to Freedom*, Sydney: Militant Women's Group, 1927, pp. 17, 5.

¹⁰⁸ *Workers Weekly*, 29/7/27, p. 1.

¹⁰⁹ *Ibid.*, 17/2/28, p. 2.

¹¹⁰ *Ibid.*, 1/5/25, p. 2.

the ranks of the toilers has been effectively used to the advantage of the exploiters.¹¹¹

At times communist women were sharply outspoken about male behaviour towards women, both in the workplace and the home. One wrote, for example, that it is 'a commonplace for disciples of the labour movement to give lip-service to the doctrine of equality between the sexes.' But lip-service, 'unsupported by activity in the interests of the trebly enslaved sex, is valueless.' She called on working men to:

enlighten their wives and daughters on the problems facing the working class ... It behoves all sensible men to ask themselves if they have done all in their power to make their homekeepers understand what is wrong with the world.¹¹²

And another put this question to male workers: 'Do you preach your working class philosophy in the home, or do you live it?' Women have two battles to fight: 'one against the slave instincts born of past subjection, and the other against the unreasoning intolerance of many male workers.' She went on that 'the worker of limited intelligence' has the conviction that women 'have no mentality to develop.' His view of woman in the class struggle 'is that she shall echo his views, carry out the tasks assigned to her, and allow him to do all the emancipating.' In the home, numbers of men 'discourse at length on comradeship and working-class problems', but make no impression on their 'weary domestic partner' because they fail to go fifty-fifty in home responsibilities.¹¹³ And in 1927, a correspondent criticised men who discouraged their wives from being politically active:

The submissive attitude in woman is greatly fostered and encouraged by the husband, and he is to blame for the lack of initiative in the wife, who is exactly where he wants her to be - safely sheltered in her home - and even our so-called militants would rather have that gentle, yielding type for it is a blow to the ego in man when a woman strives to his mental level.¹¹⁴

This type of open discussion about women's role in the revolutionary movement and public criticism of the failings of working-class men, was a feature of the party press in

¹¹¹ *Women in Australia: From Factory, Farm and Kitchen*, Sydney: Central Committee Women's Department, Communist Party of Australia, n.d. [1932], p. 3.

¹¹² *Workers Weekly*, 1/5/25, p. 2.

¹¹³ *Ibid.*, 6/8/26, p. 4.

¹¹⁴ *Ibid.*, 4/3/27, p. 4.

the late 1920s. It faded considerably in the '30s, following the internal leadership struggle, the demise of the Militant Women's Groups, and the clampdown on discussing issues of sexual relations and the family, emanating from the policies of Stalin and the Soviet party. One of the last examples of such openness of discussion - and the closest to a feminist view of male patriarchal attitudes and practices - was a 1928 article on sex inequality. The unnamed author was scathing about women's inferior social and economic status and the complicity of male workers in this situation:

[The] average male concept of woman, a concept also held by the majority of women, is that of an inferior being who exists merely for the purpose of giving satisfaction to the male portion of humankind - one who, after the performance of a legal ceremony, becomes the property of some particular male The general concept in society is that woman is intended by nature to do housework, cooking, and general [home] duties ... When the male of the species, finding himself out of a job, commences to moan about women scabbing on them, he forgets that he is largely responsible for this condition. Women do not work for less than men because they want to do so, but because their own lack of organisation, together with the hostility of the organised male workers, compels them to accept a lower wage.

'It is time that the organised workers realised' she went on:

that so long as women are kept in an inferior economic position, so long as advantage can be taken of sex for the purpose of forcing an acceptance of lower wages than the male, just so long will the employing class be able to continue its exploitation of the workers.¹¹⁵

The CPA press continually protested against women's low pay and poor conditions, particularly the severe exploitation of female workers in the clothing, textile and rubber industries. As Mary Lamm, who joined the MWG in 1927, later recalled, the *Workers Weekly* 'was the only place you'd read about bad conditions and poor pay in women's industries ... and we put equal pay at the top of the list.'¹¹⁶ The first article about women workers in industry in late 1922, detailed the conditions endured by women and girls working in jam factories for piece rates.¹¹⁷ And the first report of an industrial struggle involving women was in mid-1924, when the paper urged unionists to support young female strikers at the Port Kembla Metal Manufactures works, who were being

¹¹⁵ *Ibid.*, 23/3/28, p. 3.

¹¹⁶ Johnson, *op. cit.*, p. 16.

¹¹⁷ *Workers Weekly*, 20/10/22, p. 4; 27/10/22, p. 3. (Headed 'Our Women Slaves', this two-part article was written by Christian Jollie Smith).

paid about half that of a man or youth doing the same class of work. Employers of female labour contend that women 'are not worth the same wage as a man, and immediately disprove their arguments by extracting as great, or even greater, amount of work' from the worker:

We must demand [that] if our girls, because of inherent weakness, are only worth half the wage that a man receives, that they shall only do half the work for half the wage.¹¹⁸

The CPA's policy for the 1925 NSW elections included 'a minimum wage of £6 per week for all workers irrespective of sex.'¹¹⁹ This was an advanced demand at a time when the 'family wage' concept, incorporating a lower female rate, was widely accepted by unions and workers. It was also more advanced than the Party's later position of equal pay for equal work.¹²⁰

'Equal pay for equal work for the sexes' was first mentioned as a CPA demand in mid-1926.¹²¹ It headed the MWG's list of demands for women in industry on International Women's Day in 1928,¹²² and continued to be advocated for many decades. The CPA and other labour movement organisations apparently did not see anything contradictory in calling for equal pay, whilst also supporting the family wage concept which embodied a lower female living wage. Nor, apparently, was the logic questioned of advocating equal pay for equal work, when the great majority of women employed in 'women's jobs' in a strongly sex-segregated workforce had little opportunity to gain access to equal work, i.e. 'men's jobs'. In effect, 'equal pay for equal work' was a compromise; it did not threaten the male basic wage and it left the family wage concept intact. There is little evidence of in-depth analysis within the Party in the 1930s of the conceptual and practical ramifications of the demand, beyond its use as a rallying slogan against the exploitation of female labour and for protection of male wages and

¹¹⁸ *Ibid.*, 25/7/24, pp. 1, 3.

¹¹⁹ *Ibid.*, 24/4/25, p. 1.

¹²⁰ It was nearly fifty years before the CPA again advocated an equal minimum wage for all workers, irrespective of sex - not until its policies and practices had been radically impacted by the women's liberation movement of the early 1970s.

¹²¹ *Workers Weekly*, 4/6/26, p. 4. See also, for example, 20/5/27, p. 1; 6/4/28, p. 3; 4/5/28, p. 4.

¹²² *Ibid.*, 23/2/28, p. 1.

jobs. The CPA and the labour movement generally were soon confronted with wider questions under the pressures of changes engendered by the war and its aftermath, such as: how did equal pay for equal work fit into an entrenched wage-fixing system of a male basic wage based on supporting a family, and a lower female percentage based on a single woman without dependants?; how could it actually be applied across a sharply demarcated workforce where most 'men's jobs' were not accessible to women?; would it be more equitable to fight for an equal minimum wage for all workers?; or, for a single occupational 'rate for the job' applicable to both sexes? And should a campaign be waged against women's unequal access to jobs and higher skills, including denial of trade apprenticeships to females?

If the CPA did examine these wider issues during the '30s, this is not evident from its records, or its theoretical journal and newspapers. There was little discussion about equal pay, beyond its regular mention as a demand and warnings about bosses using cheap labour to divide the working class. A 1932 article by Hetty Weitzel was an exception. She pointed out that there is nothing approaching sex equality in any capitalist country including in Australia, where the average female wage is 55% of the male wage and equal pay for equal work is non-existent. She then attacked trade union officials who:

give lip-service, but take no practical steps to assist the women. A favourite argument is that men are paid more because they are supposed to support a family. If it is pointed out to these gentry that modern machinery, conveyor systems etc., render women able to do work formerly done only by men, and that nowadays most women in industry have their dependants to support, they will hide behind the old worn-out tag, "Women's place is in the home, anyway." These arguments line them right up as agents of the boss ... They will never fight for equal pay for equal work.¹²³

Although mainly an attack on reformist union officials in line with the party's 'Class Against Class' policy, her article nevertheless challenged the family wage concept. It upheld women's right to be in the workforce against the conservative view that they should stay in the home, and noted that many women workers support dependants, also that mechanisation enables them to do a wider range of jobs.

¹²³ *Ibid.*, 27/5/32, p. 4.

While the CPA certainly supported the principle of women's equality and equal pay, its opportunities for taking action in the labour movement were limited through most of the 1930s. In 1937, however, trade unions, women's organisations and other groups began a renewed campaign to win equal pay. As discussed in the next chapter, the Council of Action for Equal Pay arose from a conference organised by the NSW Clerks' Union's assistant state secretary, John Hughes, who was also NSW Labor Council president and a prominent left-winger ALP member. Although not a CPA member at that time,¹²⁴ he was sufficiently close to the party to participate in its Clerks' Union fraction meetings. The CPA was represented at the conference and 'lent support,' he said:

but it was just support, they agreed with the ideas, but they weren't involved in the equal pay struggles in that period. They were all in favour of equal pay and they attended and supported it, but they didn't initiate anything or do anything.¹²⁵

Hughes believed the Party accepted 'the rate for the job', as the principle upon which the equal pay campaign would be based. 'I don't know whether they ever had any discussions specifically on that, but they certainly accepted the idea.' However, there was also some confusion or ambivalence about the distinction between 'equal pay for equal work' or 'the rate for the job':

Well, the point is, they never gave consideration to the question at all as a Party, to lay down their Party's policy on that. Or, there would not have been so many different interpretations. They were all over the place. It was never even considered, never put up as a live issue to be fighting [for] at the moment, in my opinion ... It was a 'pie in the sky' if you like, yes we believe in equal pay and equality, we'll support everything in general. But then everybody would say, well which part of it do you support - equal pay for equal work, or the one rate for the job? They'd say, oh, I don't know, we haven't thought about that. There was no political line gone down on equal pay.¹²⁶

¹²⁴ Hughes officially joined the CPA in January 1944, when the State Labor Party, also known as the Hughes-Evans Party, amalgamated with the re-named Australian Communist Party.

¹²⁵ John Hughes, tape-recorded interview with author, Bateau Bay, 15/5/95.

¹²⁶ *Ibid.*

Through the depression years of the early '30s, the CPA made strenuous efforts to develop connections with working and unemployed women, and housewives. *The Working Woman*, published monthly for six years, was an important organising vehicle, together with protest demonstrations evictions, regular working women's conferences, factory-gate and street meetings and many other activities. The paper explained its aims in its first issue in August 1930:

[It] will defend the women in industry who are forced to accept lower wages for the same work as the men. It will fight in the every day struggle for equal pay for equal work, for shorter hours, a living wage, and for a programme of action that will benefit the working women. Particularly is it essential to-day to fight resolutely for maintenance for unemployed working women, who are denied even the miserable dole granted to the men ... Also, in the fight against the infamous trade union bureaucracy that denies women the right to enter unions, and that strives to prevent their organisation, the working women will find in this paper a staunch organiser, leader and defender.¹²⁷

The Party recognised its past errors in 'not concentrating more upon spreading its message to the masses of women workers,' as well as failing to correctly estimate women's role and to draw them into its ranks. Its selection of six women candidates for the forthcoming NSW state elections was a 'first step' towards building its influence among women, the paper said.¹²⁸

The holding of regular Working Women's Conferences over the next five years, was a further step. Over 130 women attended the first conference held in July 1931;¹²⁹ the second, in November, attracted 200, including delegates from cooperative women's guilds, ALP socialisation units, the Unemployed Workers Movement, unions and the Minority Movement.¹³⁰ Many participants were undoubtedly close Party supporters or members and it seems probable that the conferences had not yet broken much new ground. As the *Workers Weekly* later said, only a 'very small percentage' of those present in November were industrial workers and 'this fault must be overcome' for the next gathering in April 1932.¹³¹ This situation had improved by the 1933 conference,

¹²⁷ *Working Woman*, August 1930, p. 1.

¹²⁸ *Ibid.*, September 1930, p. 1.

¹²⁹ *Workers Weekly*, 24/7/31, p. 3; *Working Woman*, 1/8./31, p. 1.

¹³⁰ *Ibid.*, 20/11/31, p. 3; *Working Woman*, 1/12/31, p. 1.

¹³¹ *Ibid.*, 25/3/32, p. 4; and 29/4/32, p. 4 for reports of this conference; also *Working Woman*, May 1932, p. 2.

when a large proportion of the 200 women present were 'newcomers to the movement.' The higher percentage of women workers, particularly from the textile industry, shows their 'growing militancy' and the party's 'growing influence' over them, it was claimed.¹³²

As condemnation of married women workers increased through the Depression, the CPA consistently maintained its defence of women's right to work outside the home. It urged workers to resist attempts to create divisions between single and married women, and between male and female workers, aimed at breaking working-class unity.¹³³ In early 1931, it condemned the NSW Labor Government's plan to sack 600 married women teachers, whose husbands earned over £5 a week.¹³⁴ Anne Scarlitt queried whether the labour movement stands for women's economic independence. 'Then why deny to *any* woman ... the right to earn her own living [and] follow an interesting trade?' Working women must demand full economic rights with men:

the right to work as long as we wish to work; the right to equal pay for equal work; the right to have home drudgery and early child care done for us, in part, if we wish to continue our work after marriage.¹³⁵

In 1935 *Working Woman* attacked the Queensland Shop Assistants' Union for its campaign to ban employment of married women whose husbands received the basic wage. Workers were urged to 'refuse to be divided on the married-versus-single issue', to demand equal pay for both sexes doing similar work and to 'fight against any restrictions of the rights of women, whether married or single.'¹³⁶ The paper also condemned officials of three Victorian unions who had publicly opposed married

¹³² *Ibid.*, 10/3/33, p. 3. The CPA and the Minority Movement had been organising in the textile industry for some time and had actively supported large-scale strikes by women textile workers which occurred in Victoria and NSW in 1932-33 - see *Working Woman*, September 1932, pp. 1, 4; January, February and June 1933; and January and February 1934; also Johnson, *op. cit.*, pp. 49-50.

¹³³ *Working Woman*, December 1930, p. 2; also January 1932, p. 3.

¹³⁴ The Married Women (Lecturers and Teachers) Act of 1932 led to the dismissal of some 220 permanent women teachers; until its repeal in 1947, women had to resign from permanent teaching upon marriage - Anne Summers, *Damned Whores and God's Police*, Ringwood: Penguin, 1994 (1975), p. 448.

¹³⁵ *Working Woman*, 15/1/31, p. 3. (Also see further article, 15/2/31, p. 7, on the dismissal of married women teachers, with an editorial note refuting Scarlitt's article as not being in 'strict agreement' with the CPA's attitude towards the question. Perhaps it was thought she dwelt too much on women's rights and too little on the need for unity among teachers in fighting the government's plans).

¹³⁶ *Ibid.*, March 1935, p. 8.

women's continued employment. The majority are working through sheer necessity, it said, and 'an attempt to drive them from industry is a preliminary gesture towards another attack on men's wages and conditions.'¹³⁷ The CPA endeavoured to mobilise support within the labour movement for the right of all women to work and to receive equal pay. Thus, in 1937, it protested against the Sydney County Council's decision to sack married women workers. Opposition to married women working, Betty Lahiff wrote in *Workers Weekly*, 'is tantamount to saying: "Woman, your place is in the home - to be a good housewife and bear children", exactly the attitude of Mussolini and Hitler.'¹³⁸

When *Working Woman* ceased publication in July 1936, it was immediately replaced by a popular-format monthly magazine, *Woman Today*. This move reflected the CPA's changed political policy towards the ALP, labour and progressive movements, aimed at building a united people's front against the threat of fascism and war. From the start, the magazine dropped the revolutionary zeal and anti-Labor sectarianism of its predecessor, projecting itself towards broader circles of women. It was not formally a CPA publication, but was produced by an editorial board with a wider advisory board, including members of the ALP and the feminist United Associations of Women. The first edition featured prominent Labor activist, Muriel Heagney, who *Working Woman* had attacked as a traitor and 'social fascist' only a few years before.¹³⁹ The magazine aimed to support the efforts 'of all women and all organisations of women against war, for the right to work, for equal rights, for a better living standard - for peace and for a better life!'¹⁴⁰

¹³⁷ *Ibid.*, August 1935, pp. 1, 2.

¹³⁸ *Workers Weekly*, 5/3/37, p. 4; 19/3/37, p. 4; see also *Woman Today*, April 1937, p. 2. (The Council had resolved that all its 300 women employees should complete a questionnaire as to their marital status, that those currently married be sacked and that the retirement age of married women be fixed at three months after marriage).

¹³⁹ *Working Woman*, 15/3/31, p. 3; 1/8/31, p. 4.

¹⁴⁰ *Woman Today*, August 1937, p. 6.

Anti-fascism and the threat of war was emphasised in *Woman Today*, as was the situation of women workers in industry, women's rights and equal pay. It also had a strong cultural content, featuring women writers, short stories and poems.¹⁴¹ In May 1937, it editorialised that 'every woman who agrees to accept a lower rate of pay than the man who is performing the same work is, whether she knows it or not, lowering the standard of living' for both sexes. Women and men were urged to fight for equal pay:

Women, it is time we woke up. We've been hoodwinked long enough. Let us stand shoulder to shoulder with our menfolk in this demand. We have proved our equality in the factories, offices and shops - let us be equals in this. At the same time, men must realise their responsibility. Had the unions of men given more attention to organising working women, the employers would have found them less submissive.¹⁴²

The last issue of *Woman Today* appeared in May 1939. The CPA central executive decided to cease publication following a report that 'as practically no non-party people were connected with the paper, its cessation would not create any difficulties.'¹⁴³

In the CPA's first two decades, practical application of the 'woman question' largely meant focusing on winning women workers to the class struggle and into the Party. In the 1930s, in line with Stalin's policies of strengthening the family and idealising the 'mother heroine', women's interests as wives and mothers were emphasised. This direction was personified by the introduction of a section in *Working Woman* in 1934, devoted to 'home management, cookery, health, dress, children, questions of the day, politics, etc.'¹⁴⁴ Issues concerning women's oppression *as women*, such as birth control, abortion, sexuality, or the sexual division of labour and male-female relations within the family, were generally dismissed as 'bourgeois feminism'. The theory of

¹⁴¹ Stevens, *op. cit.*, p. 71.

¹⁴² *Woman Today*, May 1937, p. 4. See further articles concerning equal pay in July 1937, p. 3; September 1937, p. 24 and December 1938, p. 9.

¹⁴³ Minutes of Political Bureau, 2/5/39, Box 16, CPA Archives. (The Bureau's name was changed to Central Executive in February 1939).

¹⁴⁴ *Working Woman*, August 1934, p. 16.

the 'woman question' did not mean, in practice, any separation of women's concerns from the common class interests.¹⁴⁵

Vogel has pointed out that twentieth century Marxists inherited 'a muddled tradition which has never been able to situate *theoretically*, family, class, and mode of production in the context of the class struggle.'¹⁴⁶ There is no doubt that theoretical contradictions and ambiguities existed in the Marxist-Leninist legacy on which the CPA's theory and practice was based. The organisational practice closely followed the lead given by the Comintern and the Soviet Party. But primacy in theory and organisation was given to the class struggle as *the* driving force of history leading to the inevitable overthrow of capitalism. The 'woman question', as well as all other issues, was fitted into that 'grand narrative'. The party recognised the double oppression experienced by women and advocated women's equality, their right to work outside the home and to economic independence. But deeper issues relating to women's complete emancipation, particularly their release from the burden of housework and childcare and their full social equality with men, were regarded as not being achievable under capitalism. Meantime, the path to women's liberation lay in their alliance with the (male) working class in the struggle to win socialism. And as the point of production was regarded as a primary site of class struggle, their participation in the workforce was a necessary first step along that path. It was not until the practical struggles of the late 1930s-early '40s, as the CPA pursued its united front strategy against fascism and war, that the contradictions in theory and organisation had to confront the complexities of women's actual conditions in the industrial workforce.

¹⁴⁵ Hetty Weitzel, 'International Women's Day', *CR*, March 1939, p. 142. There are reasons for special work among women, Weitzel said, 'but not, of course, for putting up that a special "Women's Question" exists ... Men and women, we say, must stand together against their common oppressor.'

¹⁴⁶ Vogel, *op. cit.*, p. 45.

CHAPTER THREE

LEGALISING, CONSOLIDATING and RESISTING the GENDERED WORKFORCE and the 'FAMILY WAGE'

'Fortunately for society the greater number of bread-winners still are men. The women are not all dragged from the homes to work while the men loaf at home.'

- Justice Higgins, 1912.¹

'It is better in the interests of the community generally that men who are called upon to support wives and children should be employed at work suitable for men than that girls and women should be tempted to take up men's work in factories and workshops.'

- Justice Powers, 1921.²

In the literature concerning women in the Australian workforce, their wage rates and equal pay, reference is invariably made to two early judgements by Justice Higgins, President of the Commonwealth Court of Conciliation and Arbitration. The 'Harvester' judgement of 1907 set seven shillings (7s.) a day as a 'fair and reasonable' minimum wage for an unskilled labourer, based on 'the normal needs of the average employee, regarded as a human being living in a civilised community.' In effect, it fixed a basic or living wage deemed sufficient to maintain a man, his wife and about three children in frugal comfort.³ It thus set the basis for the 'family wage' concept, which became a sacrosanct tenet of the trade union movement and the arbitration system for the next sixty years.⁴

¹ Mildura Fruit Pickers' Judgement, 6 CAR 72.

² Clothing Trades' Judgement, 15 CAR 478-9.

³ Jack Hutson, *Six Wage Concepts*, Sydney: Amalgamated Engineering Union, 1971, p. 4; and George Anderson, *Fixation of Wages in Australia*, Melbourne: Macmillan in association with Melbourne University Press, 1929, pp. 188-9, citing 2 CAR 3.

⁴ The basic wage was the minimum amount payable to all adult males, with margins for skill and other factors added as a secondary wage. The concept of needs on which the basic wage was originally based, shifted to the capacity of industry to pay and the economy to sustain, when award rates were cut by 10% in 1931. However, the notion that the wage had to be sufficient to meet the needs of a wife and children as well as the male worker, continued to be strongly held. As Crowley says of the 1907 Harvester decision, the concept of a needs-based minimum wage, the basic wage, 'dominated thinking about industrial affairs for the next sixty years.' Women's wages were set as a percentage of the male rate (around 54%) until the 1949-50 Basic Wage Inquiry fixed the first female basic wage at 75%. In 1967, the basic wage was abolished as the central component of wage-fixing in the Federal jurisdiction

The second landmark judgement fixed the wage of women competing with men for the same work. In the Rural Workers (or Mildura Fruit Pickers) case of 1912, the union claimed equal pay for equal work for male and female casual workers employed on picking, drying and packing fruit in Victoria and South Australia. Higgins distinguished between those women pickers working alongside men and those working in the packing sheds where men were rarely employed. He granted the same hourly pay to male and female pickers who were in direct competition for that work and 66% of the male rate to the female packers.⁵ This judgement shaped future Court decisions concerning women's work and wages. As Ryan and Conlon put it:

A barrier was erected between men's work and women's work. Where women were employed in women's work they were paid a woman's wage, when they competed with men, however, they were paid the male rate to prevent men from being squeezed out of jobs.⁶

These two cases are starting-points for tracing the history of women's wages and equal pay claims within the Federal arbitration structure. Their long-term effects, as well as subsequent Court judgements, are analysed below. The reasons why a consistent pattern of women's inequality in wages and job opportunities had existed long before these cases, and why this pattern became entrenched during the first half of the twentieth century, also require explanation. A reliance on sexist ideology as explanation for the actions of the Court and individual judges is inadequate. The social, economic and political context in which the Court operated in its early years must also be recognised, including the sexual division of labour, ideologies about women's primary motherhood role, and union movement demands for a 'living' or 'family' wage. Flow-ons from the family wage were that women's wages could be set at about half those of men and that male jobs, skills and pay rates must be protected from competition by cheaper female labour.

and replaced by the total wage. See Hutson, *op. cit.*, pp. 2-17; and Frank Crowley, '1901-14', in F.K. Crowley (ed.), *A New History of Australia*, Melbourne: William Heinemann, 1974, p. 284.

⁵ Hutson, *op. cit.*, pp. 112-3; Edna Ryan and Anne Conlon, *Gentle Invaders: Australian Women at Work 1788-1974*, Melbourne: Thomas Nelson, 1975, pp. 98-9.

⁶ Ryan and Conlon, *ibid.*, pp. 99-100.

This chapter also considers a range of views within the labour movement and women's groups in the 1920s-30s concerning equal pay and the situation of working and unemployed women during the Depression. The final section deals with the union-based Council of Action for Equal Pay, as well as the middle-class feminist organisation, the United Associations of Women, from mid-1937 to the end of 1940.

As the first detailed study of the Commonwealth Arbitration Court's judgements concerning women's wages and equal pay, Ryan and Conlon's *Gentle Invaders* is invaluable. However, as Frances has observed, 'its value is limited by its descriptive rather than analytical approach', a limitation shared by other contributors to the Court's history, and by its primary emphasis on the Court's sexist ideology.⁷ Subsequent writers have examined additional influences which both constrained and encouraged judges to maintain the *status quo* concerning women's place in the workforce and the wider society.⁸ Bennett emphasised the importance of exogenous pressures and

⁷ Raelene Frances, 'Shifting Barriers: Twentieth Century Women's Labour Patterns', in Kay Saunders and Raymond Evans (eds.), *Gender Relations in Australia: Domination and Negotiation*, Sydney: Harcourt Brace Jovanovich, 1992, p. 254.

⁸ These writings include: Penny Ryan and Tim Rowse, 'Women, Arbitration and the Family', in Ann Curthoys, Susan Eade and Peter Spearritt (eds.), *Women at Work*, Canberra: Australian Society for the Study of Labour History, 1975 (special issue of *Labour History*, no. 29, November 1975), pp. 15-30; Dominica Whelan, 'Women and the Arbitration System', *Journal of Australian Political Economy*, no. 4, March 1979, pp. 54-60; Laura Bennett, 'Legal Intervention and the Female Workforce: The Australian Conciliation and Arbitration Court 1907-1921', *International Journal of the Sociology of Law*, vol. 12, no. 1, 1984, pp. 23-36; Laura Bennett, 'The Construction of Skill: Craft Unions, Women Workers and the Conciliation and Arbitration Court', *Law In Context*, vol. 2, 1984, pp. 118-32; Laura Bennett, 'Job Classification and Women Workers: Institutional Practices, Technological Change and the Conciliation and Arbitration System 1907-72', *Labour History*, no. 51, November 1986, pp. 11-23; Braham Dabscheck, '"The Typical Mother of the White Race" and the Origins of Female Wage Determination', *Hecate*, vol. 12, nos. 1/2, 1986, pp. 147-52; Raelene Frances, '"No More Amazons": Gender and Work Process in the Victorian Clothing Trades, 1890-1939', *Labour History*, no. 50, May 1986, pp. 95-112; Raelene Frances, 'Marginal Matters: Gender, Skill, Unions and the Commonwealth Arbitration Court - a Case Study of the Australian Printing Industry, 1925-1937', in Raelene Frances and Bruce Scates (eds.), *Women, Work and the Labour Movement in Australia and Aotearoa/New Zealand*, Sydney: Australian Society for the Study of Labour History, 1991 (special issue of *Labour History*, no. 61, November 1991), pp. 17-29; Raelene Frances, *The Politics of Work: Gender and Labour in Victoria, 1880-1939*, Cambridge: Cambridge University Press, 1993; Diane Kirkby, 'Arbitration and the Fight for Economic Justice', in Stuart Macintyre and Richard Mitchell (eds.), *Foundations of Arbitration: The Origins and Effects of State Compulsory Arbitration 1890-1914*, Melbourne: Oxford University Press, 1989, pp. 334-51; Jocelyne Scutt, 'Inequality Before the Law: Gender, Arbitration and Wages', in Saunders and Evans, *op. cit.*, pp. 266-86.

constraints operating on the Court. In discussing sexual segmentation of the workforce, she pointed out that the literature 'often appears to suggest that the Court created the division between male and female jobs.' But if the practice is placed in its historical context, it can be shown that rather, the Court 'described the existing state of affairs and gave judicial recognition to the forces which produced and maintained it.'⁹ Sexual stratification and women's depressed wage levels were already entrenched in the Australian workforce by the early twentieth century, and thus were 'a structural constraint that the Court was powerless to alter.'¹⁰ As Bennett explained:

Given that the causes of sexual segregation lay, in part, beyond the purely economic sphere (i.e. within the family) one reason why the Court could not substantially challenge the existing sexual division of work becomes clear. Furthermore the political and economic unfeasibility of substantially changing the level of wages, or introducing women into male jobs, left the Court with little other option but to accept and thereby to legitimise the sexual division of work. Thus existing labour market structures and the forces and institutions which produced and maintained them acted as external constraints upon the Court's policy.¹¹

These barriers cannot be understood in isolation from the dominant pattern of gender relations since white settlement. Women's primary identity as economically dependent wives and mothers meant that from the outset of their entry into the industrial workforce, they were disadvantaged through unequal access to job opportunities, skills acquisition and pay rates. Whatever their age, marital status or skills, the great majority of women workers faced a similar 'circular treadmill'.¹² They were expected to be in the workforce for only a short period before marriage, their labour or skills were undervalued and they were denied access to most male job areas or to training or apprenticeships and thus, to higher skills and wages. The key impediment was the lower value placed on women's work, coupled with the belief that they were destined for 'marriage, domesticity and reproduction.'¹³

⁹ Bennett, 'Legal Intervention...', *op. cit.*, p. 27.

¹⁰ *Ibid.*, p. 28.

¹¹ *Ibid.*, p. 29.

¹² Margaret Anderson, 'Good Strong Girls: Colonial Women and Work', in Saunders and Evans, *op. cit.*, p. 229.

¹³ *Ibid.*

Patriarchal ideologies and material practices concerning women's paid employment in the early nineteenth century stemmed from British customs and traditions. Colonial Australia was 'subjected to the same forces which created sexual segmentation in England', including a combination of women's domestic role, associated ideologies and male hostility to cheap female labour.¹⁴ Local circumstances, including a high demand for male labour, restricted female job opportunities, and the pressure on women to become mothers, sustained patriarchal ideologies and practices. As Alford put it:

In a context in which a premium was placed on men as worker and as breadwinner for the family, and which regarded marriage and motherhood as women's role, the payment of relatively low wages to women workers seemed both a natural and socially necessary encouragement to women to marry.¹⁵

Given the combination of ideological and material factors encouraging women to marry, it is not surprising that most did; up to 1890, only 3-4% of women had never married by the age of 50.¹⁶ However, the numbers of women in paid work also continued to increase, as more job opportunities opened up during the second half of the century. The female workforce largely comprised single women who worked before marriage, but included some married, deserted or widowed women. In 1891, over 40% of all women in NSW aged 15 to 24 were in paid employment, mostly in domestic service, but increasingly in factories.¹⁷ In Melbourne it is estimated that between 1871 and 1900, about 60-70% of single women and 36-40% of married women were in the workforce.¹⁸ The pattern of sexual segmentation, however, meant that by the early twentieth century, women 'were confined to a very limited number of industries and within those industries wage levels were exceedingly low.'¹⁹

¹⁴ Bennett, 'Legal Intervention...', *op. cit.*, p. 29.

¹⁵ Katrina Alford, *Production or Reproduction: An Economic History of Women in Australia, 1788-1850*, Melbourne: Oxford University Press, 1984, p. 211. As in England, overall wage rates for women workers were about half those paid to men, with the average female wage in New South Wales in 1850 being 54% of the male wage - Alford, pp. 208, 211.

¹⁶ Beverley Kingston, *The Oxford History of Australia, Vol. 3, Glad, Confident Morning 1860-1900*, Melbourne: Oxford University Press, 1993 (1989), p. 119.

¹⁷ Anne Summers, *Damned Whores and God's Police*, Ringwood: Penguin, 1994 (1975), p. 355.

¹⁸ Margaret Anderson, *op. cit.*, p. 228.

¹⁹ Bennett, 'Legal Intervention...', *op. cit.*, p. 29.

The purpose of the 1907 Harvester judgement was to fix a 'fair and reasonable' minimum wage sufficient to meet the normal needs of an unskilled labourer, including maintenance of a family. Although not directly concerned with female workers or their wages, its implications were to have long-term detrimental effects on working women. As Ryan and Conlon put it: 'The imposing edifice of a "family wage" was to bar the progress of women's pay rates for over half a century.'²⁰ The case arose out of the 1906 Commonwealth Excise Tariff Act which imposed tariffs on a range of imported machinery. Australian manufacturers of any of these items would also have to pay matching excise duties, unless they obtained exemption through a declaration by the Arbitration Court's President that their employees were being paid 'fair and reasonable' wages. As a test case, Justice Higgins selected an application by H.V. McKay, a manufacturer of agricultural implements at the Harvester factory in the Melbourne suburb of Sunshine, who was then paying his workers 6s. a day.²¹

In fixing the minimum rate at 7s., Higgins upheld the unions' claim for that amount 'as a fair and reasonable living wage.' By setting the minimum weekly wage at 42s., the standard of living was raised by over 27%, as the average wage for unskilled men in regular work was then not more than 5s.6d. per day or 33s. per week, with many receiving much less for longer hours.²² The judgement met union preoccupation with the condition of the most vulnerable unskilled wage-earners; while Higgins' criterion of need in fixing the minimum wage 'answered the unions' attachment to the concept of a "fair" or "living wage" that should be paid to all labourers as a first charge on industry.'²³ The idea of the living wage - and the standard of seven shillings a day - 'was pervasive in union thinking.'²⁴ By the time of the Harvester judgement, the union

²⁰ Ryan and Conlon, *op. cit.*, p. 91.

²¹ Hutson, *op. cit.*, pp. 3-4; George Anderson, *op. cit.*, pp. 188-9; Ryan and Conlon, *op. cit.*, pp. 90-1.

²² George Anderson, *op. cit.*, p. 191; Henry B. Higgins, *A New Province for Law & Order*, London: Dawsons, 1986 (1922), pp. 96-7.

²³ S.F. (Stuart) Macintyre, 'Labour, Capital and Arbitration 1890-1920', in Brian Head (ed.), *State and Economy in Australia*, Melbourne: Oxford University Press, 1983, pp. 108-9.

²⁴ *Ibid.*, p. 109; see also P.G. Macarthy, 'Labor and the Living Wage 1890-1910', *Australian Journal of Politics and History*, vol. 13, no. 1, May 1967, pp. 79-82. The amount of 7s. had been the generally accepted minimum standard before the 1890s depression - see Macarthy, 'Justice Higgins and

movement's campaigning about the plight of unemployed and low-paid workers had won over public opinion to the need for a decent minimum wage.²⁵

The basic wage was premised on two main beliefs: that all adult men have, or would have, a wife and children to support and that all women are, or would be, financially supported by a man. Therefore, women workers only needed about half the male rate to support themselves before marriage. It was also assumed that most women would be in the workforce for only a short period. Variations such as deserted or widowed women supporting their children, or single women helping to maintain parents or siblings, were disregarded. A further assumption was that the minimum wage for an unskilled labourer was sufficient to keep a family of five in 'frugal comfort' - a premise based on limited factual evidence. Higgins arrived at the figure of 7s. a day more by a process of 'intelligent guesswork'²⁶ about a range of relevant social-economic considerations, than by any rigorous calculations of average living costs. He later acknowledged that he had made only a 'rough estimate' of the cost of living of an average employee.²⁷ For unskilled workers with families dependent only on the basic wage, it became extremely difficult to maintain an adequate standard of living. As Edna Ryan recalled of the late 1920s:

The name of the family wage was a myth. You felt sorry for any worker on the basic wage who got married, because they could never keep a family on the basic wage.²⁸

Because of the inadequate minimum wage, unions increasingly focused on the need to build up the secondary wage component by gaining higher margins for skill.

the Harvester Judgement', *Australian Economic History Review*, vol. 19, no. 1, March 1969, p. 36; Stuart Macintyre, *Winners and Losers*, Sydney: Allen & Unwin, 1985, p. 55.

²⁵ Macarthy, 1967, *op. cit.*, p. 82; Hutson, *op. cit.*, p. 35. For background to the unions' long-held demand for a minimum wage of 7s. per day, see Macarthy, 1969, *op. cit.*, pp. 33-4. By 1907, he says, this amount 'had become a social creed' and one on which 'almost every section of opinion could agree.'

²⁶ Crowley, *op. cit.*, p. 284.

²⁷ Sol Encel, Norman MacKenzie and Margaret Tebbutt, *Women And Society: An Australian Study*, Melbourne: Cheshire, 1974, p. 152, citing Higgins' statement in the Waterside Workers' case, 1919, 13 CAR 599, p. 619. Higgins mainly relied on eleven household budgets submitted by union officials and/or their wives living in Sunshine. These working-class families, with an average of 3.27 children, had an average weekly budget for a family of five of 46s.4d. - 4s.4d. more than the 42s. (or £2/2-) minimum wage for unskilled labourers that Higgins set - see Macarthy, 1969, *op. cit.*, p. 32.

²⁸ Edna Ryan, tape-recorded Interview with author, Canberra, 23/6/95.

Growing industrial discontent with the insufficient basic wage in meeting workers' cost of living pushed the Hughes Government to establish the 1920 Basic Wage Commission.²⁹ The Commission effectively discredited the notion that the 'Harvester standard' was a sufficient family wage, by its finding that in 1920 a family of five needed £5/16/- a week for minimum living needs - £1/11/- more than the highest basic wage then being paid.³⁰ Commission Chairman, A.B. Piddington, amplified his criticisms of the Harvester minimum in his 1921 book, *The Next Step*. The 7s. Harvester figure was not based on a full investigation of the actual cost of living at the time, he argued. If the cost of living for a family of five as ascertained by the Basic Wage Commission, were to be computed for 1907, the figure would be £2/13/8 per week, nearly 25% more than was awarded.³¹ Piddington calculated that about 62% of the male workforce, who were either unmarried (45%) or married without dependent children (nearly 17%), were receiving an over-adequate family wage. A further 8% had only one child; but the remaining 30%, who had two or more children, were maintaining their wives and about 820,000 children on an inadequate standard of comfort.³² The large percentage of single men without dependants, he commented, 'have always enjoyed more than twice their living wage.'³³

In the 1920s the realisation that the male basic wage was insufficient to maintain a family, was often behind union support for equal pay. In 1920, for example, a Victorian Trades Hall Council report calling for equal rates argued that the male basic

²⁹ A.B. (Alfred) Piddington, *The Next Step: A Family Basic Income*, Melbourne: Macmillan, 1921, pp. 6-7.

³⁰ *Ibid.*, p. 6; Ryan and Conlon, *op. cit.*, p. 105.

³¹ Piddington, *op. cit.*, pp. 11, 14.

³² *Ibid.*, pp. 17-18.

³³ *Ibid.*, p. 19. Census figures for 1911 showed that 45.8% of males aged 30 were single; whilst only 6.2% of males aged 21, and 11.2% aged 22, were married - see Ryan and Conlon, *op. cit.*, p. 108.

wage was only a single, not a family, wage.³⁴ And in 1926 the Clothing Trades Union made the same point in its claim for an equal minimum rate in the industry.³⁵

The 1912 Mildura Fruit Pickers case was the first time the Commonwealth Arbitration Court had dealt directly with women's wages, or as Justice Higgins put it in his judgement, 'with the problem of female labour.'³⁶ This decision set a precedent for judgements concerning women's wages over several decades. Higgins determined that if women are employed on jobs recognised as men's work, then, in order to protect men's jobs, they should receive equal pay; but if doing work regarded as women's work, they are entitled only to a female rate lower than the male minimum. Thus, the female pickers who were competing with men for the same work were awarded equal pay, whilst the women in the packing sheds received 66% of the male minimum rate. The reasoning was that, unlike men, women do not support others from their wage and therefore, are not entitled to receive the same basic wage, unless they can prove entitlement to equal pay for equal work.

Justice Higgins interpreted the unions' claim for 'equal pay for equal work' as meaning equal pay for men and women 'for work of the same character', which was consistent with the prescribing of a minimum wage.³⁷ He argued that the 'minimum rate' set by the Court 'means the minimum rate for a class of workers, those who do work of a certain character.' Thus, he went on:

If blacksmiths are the class of workers, the minimum rate must be such as recognises that blacksmiths are usually men. If fruit-pickers are the class of workers, the minimum rate must be such as recognises that, up to the present at least, most of the pickers are men (although women have been usually paid less), and that men and women are fairly in competition as to that class of work. If milliners are the class of workers, the minimum rate must, I think, be such as

³⁴ Jennie Bremner, 'In the Cause of Equality: Muriel Heagney and the Position of Women in the Depression', in Margaret Bevege, Margaret James and Carmel Shute, (eds.), *Worth Her Salt: Women at Work in Australia*, Sydney: Hale & Iremonger, 1982, p. 289.

³⁵ Muriel Heagney, *Are Women Taking Men's Jobs?: A Survey of Women's Work in Victoria*, Melbourne: Hilton & Veitch, 1935, pp. 34-5.

³⁶ George Anderson, *op. cit.*, p. 419, citing 6 CAR 70.

³⁷ John Rickard, *H.B. Higgins: The Rebel as Judge*, Sydney: Allen & Unwin, 1984, p. 176.

recognises that all or nearly all milliners are women, and that men are not usually in competition with them.³⁸

He also noted that because women are paid lower wages than men, there is a tendency to substitute women for men in industries, even in occupations more suited to men. In this case the majority of the fruit-pickers are men; therefore, the male and female pickers 'should be paid on the same level of wages.' But the position is different in the case of the women in the packing sheds, where the work 'is essentially adapted for women, with their superior deftness and suppleness of fingers.' The best test is:

that if the employers had to pay the same wages to women as to men, they would always, or nearly always, employ the women, and in such work as this, even if the wages for men and for women were the same, women would be employed in preference ... I must, therefore, endeavour to find a fair minimum wage for these women, assuming that they have to find their own food, shelter, and clothing.³⁹

The 1912 Fruit Pickers precedent was followed in numerous cases in Federal and State jurisdictions, when female pay rates were fixed for women employed both in recognised 'women's work' and in jobs also performed by men.⁴⁰ A survey of some of the most important of these judgements up to the early 1920s, highlights the principles established by the Commonwealth Court in this period, which 'remained effectively unchanged until 1969.'⁴¹ In 1917, in fixing pay rates for telephonists in the Public Service, Justice Powers clarified the principles established by Higgins in 1912. 'The first thing to be decided is whether the work is man's or woman's work,' he said. This is necessary for two reasons:

1. Because the Court does not fix any lower rate for a woman's wage than for a man's, if the work done is man's work; but if the work done is recognised as woman's work, the wages fixed are those determined by the Court as fair, on the evidence submitted for the class of work in question.
2. Because if the work is man's work, the minimum wage to be fixed for an adult is a wage sufficient to keep a man, his wife, and a family of three children in reasonable comfort. If it is woman's work, a wage sufficient to keep a single woman in reasonable comfort.⁴²

³⁸ George Anderson, *op. cit.*, pp. 419-21, citing 6 CAR 70-72.

³⁹ *Ibid.*

⁴⁰ Extracts from many of these judgements from 1912 to the 1960s, can be found in *Equal Pay: Some Aspects of Australian and Overseas Practice*, Melbourne: Department of Labour and National Service, 3rd ed., 1968 (1958); and to the end of the 1920s, in George Anderson, *op. cit.*, pp. 396-422.

⁴¹ Bennett, 'Legal Intervention...', *op. cit.*, p. 35.

⁴² George Anderson, *op. cit.*, p. 421, citing 11 CAR 306.

In the 1917 Theatrical Employees' case in which the female minimum wage was fixed at 58% of the male minimum, Justice Powers reiterated this principle, and added:

The Court allows a living wage to a woman as a single woman. The single man often gets more than his work is worth, but if single men are paid less than married men the cheaper labour would be employed and they could not make the necessary provision for marriage.⁴³

Thus, a single adult man was always treated the same as a married man in that he needed the family wage to prepare for marriage, whereas a woman was always treated as a single woman, irrespective of whether she was supporting dependants. The NSW Board of Trade took this view in 1918, when determining that the living wage for women would be £1.10s. (30s.), exactly half the £3 (60s.) awarded to men four months earlier. In considering women with dependants as exceptional, it stated:

We do not lower the male living wage for bachelors, or raise it for men with large families; and similarly we cannot lower it for the woman who lives at home or raise it for the one who has to keep her husband.⁴⁴

It is true that during the four decades prior to World War II, the great majority of women workers were single. Census figures for 1921 and 1933 show that women then made up about a fifth of the total workforce (20.3% and 21.8% respectively); also that about 90% of the female workforce were unmarried, with married women comprising 9.2% in 1921 and 11% in 1933.⁴⁵ Although the number of women solely providing for dependants is not known, it is probable that a significant section of the female workforce would have been the main, or sole, supporters of aged parents or younger siblings, or of their own children or husbands, especially during the Depression.

That it was not exceptional for women workers to have dependants is borne out by two surveys conducted in the 1920s. In interviews with 60 women in the printing industry

⁴³ *Equal Pay...*, *op. cit.*, p. 11.

⁴⁴ Peter Spearritt, 'Women in Sydney Factories c. 1920-50' in Curthoys, Eade and Spearritt (eds.), *op. cit.*, p. 32, citing *Living Wage (Adult Females) 1918*, Bulletin of the NSW Board of Trade, Government Printer, 1920, p. ix.

⁴⁵ Katy Richmond, 'The Workforce Participation of Married Women in Australia', in Donald E. Edgar (ed.), *Social Change in Australia: Readings in Sociology*, Melbourne: Cheshire, 1974, p. 269; and Spearritt, *op. cit.*, p. 37.

in 1924, Dr Ethel Osborne found that 27 had 'serious financial responsibility' for dependants;⁴⁶ and a large survey by Dr Marion Ireland in 1928 of women in Victorian manufacturing industries found that almost 30% of those interviewed were partly or wholly supporting other family members.⁴⁷ We can also draw indications from Keating's analysis of census figures for female workforce participation rates. Of all widowed and divorced women, 20.8% were in the workforce in 1921, and 18.8% in 1933.⁴⁸ Again, it seems fair to assume that a sizeable proportion of these women would have been solely supporting children.

Three significant Federal awards were handed down for the clothing industry, the largest employer of female workers in this period.⁴⁹ In 1919 Justice Higgins referred to the problem of finding the minimum sum necessary to satisfy the normal needs of an average female employee and expressed concern about discrimination in wage rates on the grounds of sex:

Now it is obvious that this question as to discrimination between the sexes as to pay is of very great economic and social importance. But I have here merely to decide what should be the minimum rate ... If the employer ... employ[s] the worker, it must be assumed that the worker is worth the rate. The fact that an employee is lame, or red-haired, or belonging to a particular creed, is no ground for a lower minimum rate. Why should sex be a ground? The burden lies on the employers here to show that it should be a ground.⁵⁰

Nevertheless, he fixed a female weekly minimum rate of 35s., 54% of the then male basic wage of 65s. This judgement, in effect, set 54% as a *de facto* female basic wage.⁵¹ In the case of tailoring, Justice Higgins awarded equal pay for men and

⁴⁶ Patricia Grimshaw, Marilyn Lake, Ann McGrath, Marian Quartly, *Creating A Nation*, Ringwood: McPhee Gribble, 1994, p. 223.

⁴⁷ Marion I. Ireland, *A Survey of Women in Industry, Victoria, 1928*, Canberra: Commonwealth Department of Health, n.d. [1929?], p. 30.

⁴⁸ Michael Keating, *The Australian Workforce: 1910-11 to 1960-61*, Canberra: Research School of Social Sciences, Australian National University, 1973, p. 326.

⁴⁹ Between 1919 and 1939, over half of all women employed in factories in Sydney worked in the clothing and textile industry; in 1919 the figure was 59.2% - see Spearitt, *op. cit.*, p. 34.

⁵⁰ *Equal Pay...*, *op. cit.*, p. 12, citing 13 CAR 700.

⁵¹ The women's wage was subsequently taken to 37s. - see Ryan and Conlon, *op. cit.*, pp. 102-4; Heagney, *op. cit.*, p. 33. From 1919, 54% was the standard proportion paid to women workers until the exigencies of World War II brought changes. The first Federal female basic wage was set by the Court at 75% of the male minimum in the 1949-50 Basic Wage Inquiry.

women employed in particular occupations. He commented that men and women were in competition:

but the competition was weighted in favour of the women by the practice of paying them lower rates and this was causing a gradual disappearance of men from the industry in all but the most skilled operations or occupations which require strength.

‘There is much more danger incident to the forcing of men out of an industry to which they are suited than to the forcing out of women, even if they are equally suited,’ he concluded.⁵²

In 1921, in awarding the male rate to women employed in several further classifications,⁵³ Justice Powers commented on the ‘growing tendency’, now that the basic wage has been increased, ‘to give women work that men are better fitted for because the rate of pay is less.’ He continued:

It is better in the interests of the community generally that men who are called upon to support wives and children should be employed at work suitable for men than that girls and women should be tempted to take up men’s work in factories and workshops. The Court has so far fixed a woman’s wage for work that is really women’s work but it will not encourage employers to employ women at work it considers men can reasonably claim to be men’s work.⁵⁴

And in the third case in 1923, Justice Webb dealt with an application for a new award in the industry, in which the union had sought a large increase in the female basic wage. In fixing the minimum female wage at £2.7.6. (the male basic wage was then £4.6.6d.), he explained the Court’s basic reasoning towards the female living wage:

The Court came to the conclusion that the average worker was represented by a man with a certain family ... The Court has followed the same principles in dealing with the wage for women. It is because it believes that a woman’s needs are less than those of a man that a lower wage for a woman is prescribed ... [The Court] has come to the conclusion that the average woman has not a family to support, that she has only herself to support, and that her needs are not as great as the needs of the breadwinner of a family, and it has prescribed a wage which it thinks is suited to her needs.⁵⁵

⁵² *Equal Pay...*, *op. cit.*, p. 12, citing 13 CAR 702; George Anderson, *op. cit.*, p. 400. See also further comment by Justice Higgins, referring to the women as ‘gentle invaders’, in Christine Short, ‘Equal Pay - What Happened?’, *Journal of Industrial Relations*, vol. 28, no. 3, September 1986, p. 316.

⁵³ George Anderson, *op. cit.*, pp. 400-1.

⁵⁴ *Equal Pay...*, *op. cit.*, p. 23, citing 15 CAR 478-9.

⁵⁵ *Ibid.*, pp. 12-13, citing 18 CAR 1040-45.

Bennett defines five main principles followed by the Court in the first two clothing trades cases, which she sees as 'crucial in determining the sexual classification of the work, and therefore its wage rate':

- (1) The Court (by paying lower wages) would not encourage employers to employ women at work it considered men could reasonably claim to be men's work.
- (2) A male classification would only be given when it would not result in any "wholesale displacement" of women.
- (3) Classifications adopted by state tribunals, if uniform, would not ordinarily be departed from.
- (4) If the work involved strenuous physical activity it would be classified as male ...
- (5) If the work was skilled work it was more likely to be classified as male.

Points (2) and (3), Bennett adds, 'show the extent to which the Court favoured the *status quo* even when it had the power to effect change.' The principles also indicate that 'where the Court had some degree of autonomy it was strongly influenced by ideological definitions of what constituted women's work.'⁵⁶

Four major principles resulted from the Court's judgements up to the early 1920s, in terms of their long-term effects on women workers and the issue of equal pay. Firstly, the family wage concept was enshrined, both ideologically and materially, as a core element of the wage-fixing system for the next half-century. In the socio-economic context of the period, the legalisation of a minimum wage for men that was (supposedly) sufficient to support their families, can be seen as a 'progressive and humane' step.⁵⁷ However, in its long-term gender implications, the family wage concept was to become more regressive than positive for women. As Grimshaw *et. al.* saw it:

The relative benevolence of the state and the relative victory of labour and liberal reformers in gaining some security for waged workers, was a gendered settlement.

Men were enshrined 'as the accepted breadwinners for the family group, and hence were offered higher wages and greater legitimacy as workers'; whereas women were enshrined as housewives above all, or as young, marginal and temporary workers,

⁵⁶ Bennett, 'Legal Intervention...', *op. cit.*, pp. 30-1.

⁵⁷ Grimshaw *et. al.*, *op. cit.*, p. 201.

partly maintained by a man.⁵⁸ Thus, Australian social policy 'was premised on the dependence of the female and the permanance of the family.'⁵⁹

The belief that a man's wage had to allow for maintenance of a dependent wife and children, came to be one of the most strongly-held tenets of the labour movement. Arguments for equal pay for women as a wage justice issue for a poorly paid section of workers, or as an issue of general social equality, inevitably foundered on the strength of conviction that an equal female wage would jeopardise the foundation on which the male basic wage rested. Consequently, most union support for 'equal pay', actually meant 'equal pay for equal work', that is, only for the relatively small number of women doing 'men's work', which left the family wage concept intact. The trade union movement feared that any attempts to equalise the female minimum wage could result in a lowering of the male wage, a risk that was often voiced by employers and judges. Thus, in the 1937 Basic Wage Inquiry, Chief Justice Dethridge summed up the Arbitration Court's attitude:

If all wage earners are put upon the same level as to amount, that amount is limited and must be limited by ... the capacity of industry to pay, and so that common amount ... may, if women are put upon the same footing as men as to the wage amount, have to be reduced. That is to say, the male wage may have

⁵⁸ *Ibid.* Much feminist literature has examined the historical background to the sexual division of labour and the 'family wage'. The most comprehensive explanation for the sex-based segregation of the Australian workforce is provided by Ann Curthoys, 'The Sexual Division of Labour: Theoretical Arguments' in Norma Grieve and Ailsa Burns (eds.), *Australian Women: New Feminist Perspectives*, Melbourne: Oxford University Press, 1986, pp. 319-39. This article also reviews some influential feminist writings on the issue, particularly concerning differences of view about the role of male workers in the exclusion, or confinement, of female labour. See also Curthoys' earlier article, 'The Sexual Division of Labour Under Capitalism', in Norma Grieve and Patricia Grimshaw (eds.), *Australian Women: Feminist Perspectives*, Melbourne: Oxford University Press, 1981, pp. 39-43. Here she explores the material basis for the sexual division of labour within working-class families, coupled with ideological beliefs, which logically leads to men being regarded as primary breadwinners and women as child-carers and housewives.

For examinations of the origins of the 'family wage' and sexual division of labour in Britain and the United States, see: Heidi Hartmann, 'Capitalism, Patriarchy, and Job Segregation by Sex', in Z.R. Eistenstein (ed.), *Capitalist Patriarchy and the Case for Socialist Feminism*, New York: Monthly Review Press, 1979, pp. 206-47; Jane Humphries, 'Class Struggle and the Persistence of the Working-class Family', *Cambridge Journal of Economics*, vol. 1, no. 3, September 1977, pp. 241-58; Hilary Land, 'The Family Wage', *Feminist Review*, no. 6, 1980, pp. 55-77; Michèle Barrett and Mary McIntosh, 'The "Family Wage": Some Problems for Socialists and Feminists', *Capital & Class*, no. 11, Summer 1980, pp. 51-72; and Johanna Brenner and Maria Ramas, 'Rethinking Women's Oppression', *New Left Review*, no. 144, March/April 1984, pp. 33-71.

⁵⁹ Macintyre, *Winners...*, *op. cit.*, p. 57.

to come down, in order that the female wage may be brought up to the level of the male wage.⁶⁰

The second principle was the corollary of the family wage: that as women are destined to be dependent wives and mothers, their wages should be about half the male rate. Thirdly, the judgements legally entrenched the sexual division of the workforce into distinct areas of men's and women's work, with unequal pay rates. This gendered stratification of the Australian workforce was so rigidly maintained that it became accepted as 'natural' by generations of workers. Finally, both the arbitration system and the union movement recognised that when women directly endanger the male wage, i.e. when they move into male work areas and the competition from their cheaper labour threatens to undercut men, then they should receive the same pay, on the presumption that male labour would always be preferred.⁶¹ That is:

For the most part, both the unions and the Court saw the granting of equal pay as a way of guaranteeing that men were given the available work ... When [the Court] granted equal pay in a particular area it was 'saving men's jobs.' Alternatively, when it refused to grant equal pay, usually in an area where male workers were not under threat, it was 'saving women's jobs.' The net result was that few women workers obtained equal pay.⁶²

In any case the rigid segmentation of the workforce, reinforced by ideological beliefs about women's primary role, has meant that the great majority of women have always been confined to so-called 'women's work' on lower wages and have had very limited access to 'men's jobs'.

Although calls for equal pay had been sporadically voiced in the 1890s, agitation amongst labour movement and feminist activists became more widespread from the turn of the century. Before then, unionists' efforts for women workers had largely

⁶⁰ Arbitration Court Transcript, 19/5/37, p. 372, attached to letter from Muriel Heagney for Council of Action for Equal Pay dated 3/1/41, ML Q331.215/H, Mitchell Library; for Justice Dethridge's judgement see 37 CAR 583.

⁶¹ Whelan, *op. cit.*, p. 55.

⁶² *Ibid.*, p. 56.

centred on trying to organise them, to protect them from 'sweating' and other forms of exploitation and to gain improved female pay rates. One early instance of agitation for equal pay was a meeting in Adelaide of the Working Women's Trade Union in 1899, which called on the South Australian Labor Council 'to take immediate steps to form female Trade Unions in all branches of industry where the sweating system exists.' The *Adelaide Observer* reported that the mover 'then advocated equal pay for equal work, whether mental or manual, regardless of sex.'⁶³ The views of a union leader of the 1890s were probably representative of others who 'supported' equal pay as a means of protecting men's jobs. Peter Strong, president of the Sydney Tailoresses' Union, told the Royal Commission on Strikes in 1891:

We want the tailoresses to be equal with the tailors ... The reason for employing female labour is all for the cheapness. If the Tailoresses' Union were able to bring the women's wages up to that of men, where there are forty women and half a dozen men, the reverse would be the case ... at equal rates the masters would prefer men.⁶⁴

In Victoria, the Political Labor Council (forerunner of the ALP), which was launched in 1901, formed the Women's Organising Committee (WOC) and Labor women began to campaign around their aims of improving women's working conditions and achieving a female living wage. Following the first Victorian Labor Women's Political Conference in 1909, trade unions supported Labor women organisers, who 'organised working women and advocated equal pay.' By 1912, there were 31 female unions or female sections of unions in Melbourne and the equal pay issue was being promoted by unions, such as the Clerks', covering occupations increasingly held by women workers.⁶⁵ However, Nolan says, most unions affiliated to the Melbourne Trades Hall Council (THC) did not support equal pay. The first union calls for equal pay in 1896 were aimed at excluding or decreasing the number of females working in industries. In August 1913, Sara Lewis of the Female Hotel, Club and Restaurant Union, together with a Clothing Trades Union official, forced the THC to debate 'genuine' equal pay,

⁶³ Scutt, *op. cit.*, p. 270.

⁶⁴ Ryan and Conlon, *op. cit.*, p. 71.

⁶⁵ Melanie Nolan, 'Sex or Class? The Politics of the Earliest Equal Pay Campaign in Victoria', in Frances and Scates (eds.), *op. cit.*, pp. 107-8.

when they attempted to launch a union campaign around the issue. In response the Council convened a conference of women workers to frame definite proposals over equal pay.⁶⁶

At this Women's Industrial Convention held in September 1913, a Clerks' Union motion calling on the union movement to organise a 'vigorous campaign' to implement equal pay, was unanimously supported. However, the Council did not implement the Convention's resolutions, with male delegates arguing that 'while they agreed with equal pay for equal work, women did not actually perform equal work.'⁶⁷ Convention chairwoman, Amy Witham, President of Victorian Labor's WOC, said that the time had arrived in Australia when women '[having] been raised to the dignity of citizenship ... must organise industrially and politically.'⁶⁸ Sara Lewis told the Convention that women workers had just as many needs and responsibilities as did men and that 'whatever was fixed as a decent living wage for a man should be paid to a woman.' It was resolved that the legislation covering the operation of Victorian Wages Boards, which required that 'sex' and 'age' be taken into account when fixing awards, should be amended to delete the word 'sex'. Wage levels should be determined on the basis of 'a rate for the job', that is, on the character of the work, rather than the sex of the worker. There should be a 'uniform basic wage for all adults in industry irrespective of sex or occupation.'⁶⁹

Feminist and other non-Labor women in Victoria were also organising around women's economic independence. As suffrage campaigner, Vida Goldstein, said: 'We've won the constitutional right to equality (the vote) now we must win the economic right of equality (equal pay).'70 In 1901, she called a meeting of women employed in the

⁶⁶ *Ibid.*, p. 109.

⁶⁷ *Ibid.*

⁶⁸ Marilyn Lake, 'The Independence of Women and the Brotherhood of Man: Debates in the Labour Movement over Equal Pay and Motherhood Endowment in the 1920s', *Labour History*, no. 63, November 1992, p. 4.

⁶⁹ Lake, *op. cit.*, pp. 9-10; Grimshaw *et. al.*, *op. cit.*, pp. 210-11.

⁷⁰ Nolar, *op. cit.*, p. 110.

postal and telegraph and education departments, to co-ordinate their agitation for equal pay in the Federal Public Service, from which a continuing network developed.⁷¹ 'A three-pronged campaign for equal pay for public servants, state teachers and commercial clerks gained strength.' In 1912, Goldstein's organisation, the Women's Political Association, formally initiated a campaign for equal pay for equal work and invited all women's groups and unions to join.⁷²

However, the industrial and political situation was 'less propitious for equal pay' after 1914. 'The unions cooled to equal pay at the same time as the arbitration tribunals became committed to the family wage', also the strength of agitation by women's groups diminished. The equal pay movement in Victoria, Nolan concluded, died in the early 1920s and was not revived until the late 1930s.⁷³ With the union movement being more enthusiastic about the basic wage than equal pay, the THC had 'great difficulty in effectively supporting the equal pay principle when some of its affiliated unions loudly proclaimed it was incompatible with the family wage.' Thus in 1921, a motion to the Council that women be paid the same rates as men was defeated. It was 1936 before equal pay was put back onto the Melbourne THC's agenda.⁷⁴

Campaigning for equal pay was certainly muted during the 1920s and through the Depression years, but it did not disappear. Agitation continued in various ways among communist, left-wing and feminist women. Some activists linked equal pay with the demand for child and motherhood endowment as a way of breaking the nexus between the family wage, women's low wages and their economic dependence. From World War I and through the 1920s, feminist and labour movement activists:

developed a platform of three inter-dependent planks: equal pay, motherhood endowment and child endowment. Each was necessary, it was argued, for the achievement of all.

⁷¹ *Ibid.*, pp. 109-10.

⁷² *Ibid.*, p. 110.

⁷³ *Ibid.*, p. 116.

⁷⁴ *Ibid.*, pp. 117, 119-20.

This platform led them to oppose the basic or family wage. They understood that 'so long as mothers were provided for as wives in the family wage paid to men, then men continued to have a reason to claim a higher wage' than women workers.⁷⁵ Although the connections between equal pay and women's economic dependence were made theoretically, in practice the issue of motherhood/child endowment was given more emphasis than the right of (mainly single) working women to equal pay. Most women, of course, did marry and become full-time housewives and mothers, rather than paid workers; in 1921 only 4.4% of all married women were in the workforce.⁷⁶

The public debate about endowment in the 1920s resulted in establishment of the 1928 Royal Commission on Child Endowment or Family Allowances. For feminist and labour women activists who recognised the barrier to equal pay imposed by the family wage, an endowment scheme represented an alternative way of increasing women's 'wages'. That is, large numbers of women would gain some income of their own (even if only a small amount) and the financial upkeep of non-working women and children would partly shift to the State, thus making it harder for men to continue justifying their need for a higher family wage. For activists such as Muriel Heagney, Jean Daley and Nelle Rickie, the term 'equal pay' meant a female 'living wage', or a single 'rate for the job' irrespective of the worker's sex. Lake maintained that their call for a motherhood endowment as a means of achieving women's independence, 'was always linked to the demand for equal pay - or a "living wage" for women.'⁷⁷ Thus, in 1923, Rickie, then a union delegate to the Melbourne THC, wrote that the endowment reforms are 'bound up with the demand for equal pay for the sexes'.⁷⁸ And Heagney called for 'a minimum income as an individual right', which 'would bring revolutionary changes in the relations of husband and wife'.⁷⁹

⁷⁵ Lake, *op. cit.*, p. 4.

⁷⁶ Richmond, *op. cit.*, p. 269.

⁷⁷ Lake, *op. cit.*, p. 8.

⁷⁸ *Ibid.*, p. 13.

⁷⁹ *Ibid.*, p. 11.

The views of feminist and labour women concerning the links between endowment and equal pay were not widely accepted within the labour movement; consequently, equal pay agitation remained low on its agenda for over a decade. As Cass put it:

The labour movement's support for child endowment since the early 1920s, but failure to fully support and make active representation for equal pay on a centralised basis until the late 1930s, suggest that the two issues were not seen in all their interconnections.⁸⁰

Nevertheless, throughout the 1920s and '30s, women activists maintained their efforts for any measures that would improve women's economic independence, particularly equal pay and child endowment. Muriel Heagney saw the provision of an endowment scheme as 'an essential prerequisite' for the introduction of equal pay.⁸¹ When the 'health and well-being' of every child was assured by government-funded endowment, she wrote in 1935, then 'men and women in industry would meet on more equal terms than is possible under present circumstances.'⁸² She also indicated this when appearing as an ACTU witness to present the equal pay case in the 1937 Basic Wage Inquiry.⁸³

Jessie Street, president of the middle-class feminist organisation, the United Associations of Women, also supported child endowment to mothers as 'a just recognition of their economic contribution as child-rearer and housewife' and as 'necessary to remove them from debilitating dependency on their husband's income.'⁸⁴ As well, Street vigorously campaigned for equal pay at every opportunity, especially from the early Depression years when male workers were being dismissed in favour of cheaper female labour. In 1933 she condemned the decision to fix the NSW female basic wage at £1/17/6 when the male wage was £3/8/6. Pointing out the injustices brought by the inequitable wage-fixing system, she concluded:

⁸⁰ Bettina Cass, 'Redistribution to Children and to Mothers: a History of Child Endowment and Family Allowances', in Cora V. Baldock and Bettina Cass (eds.), *Women, Social Welfare and the State in Australia*, Sydney: Allen & Unwin, 1983, p. 62.

⁸¹ *Ibid.*

⁸² Heagney, *op. cit.*, p. 106.

⁸³ Cass, *op. cit.*, p. 62.

⁸⁴ *Ibid.*, p. 63.

If we are to have justice, wages must be based on the value of the work done, and not on the sex of the worker. Let wages be fixed for the different occupations, and let everyone have an equal opportunity to engage in these occupations.⁸⁵

Labor women in NSW also worked for equal pay and other measures that would improve women's economic independence. Their efforts to win support for equal pay within the ALP had achieved some early successes, even if only by formal resolution. Thus, the 1905 Annual State Conference had resolved that 'where women are performing the work of men they shall be paid at men's rate of wages.' The principle of 'equal pay for women with men for work of equal merit' was also adopted, and confirmed at the 1906 Conference.⁸⁶ Similar resolutions for equal pay for women were also carried at the 1908 and 1914 Annual Conferences.⁸⁷ However, changes of attitude in the ALP towards women came slowly. At the 1913 Conference, for example, a motion to give full political rights to women was finally adopted, after it had failed to gain the necessary two-thirds majority at the four preceding conferences.⁸⁸ In the 1920s, Labor women's efforts for child endowment and widows' pensions 'were influenced by considerations of income redistribution to mothers', to better provide for the welfare of women and children.⁸⁹ The Labor Women's Central Organising Committee (LWCOC) successfully lobbied the Party leader, Lang, to include these reforms in Labor's 1925 election policy. The following year, the Lang Government introduced widows' pensions and in 1927, a limited family endowment scheme.⁹⁰

⁸⁵ Heather Radi (ed.), *Jessie Street: Documents and Essays*, Sydney: Women's Redress Press, 1990, p. 74.

⁸⁶ Jim Hagan and Ken Turner, *A History of the Labor Party in New South Wales 1891-1991*, Melbourne: Longman Cheshire, 1991, p. 30.

⁸⁷ Jane Tabberer, *The Times of Henrietta*, Sydney: Union of Australian Women, 1970, pp. 149, 166.

⁸⁸ Hagan and Turner, *op. cit.*, p. 103.

⁸⁹ Cass, *op. cit.*, p. 63.

⁹⁰ *Ibid.*, p. 72. For further information on family and child endowment, see Fran Jelley, 'Child Endowment' in Heather Radi and Peter Spearritt (eds.), *Jack Lang*, Sydney: Hale & Iremonger, 1977, pp. 88-98; Jessie M.G. Street, *Truth or Repose*, Sydney: Australasian Book Society, 1966, pp. 127-8; Cass *op. cit.*, and Lake, *op. cit.*

The first half of the 1930s were years of great hardship for most working people, particularly for the large numbers of men who suffered long-term unemployment. Whilst a detailed analysis of the Depression cannot be made here, it is relevant to briefly examine its effects on women workers and especially, the issues of equal pay and women's right to paid work, both of which were highlighted during the period. There is no doubt that the unemployment rate was more severe and prolonged for men than for women.⁹¹ At the 1933 census, male unemployment was 24.9% and female, 14.7%.⁹² However, these figures are not an accurate picture of female unemployment caused by the Depression, in that industries employing large numbers of women had been badly affected earlier, i.e. from 1927, but were recovering by 1933.⁹³ Further, the census figures do not reflect the extensive under-counting of female unemployment. Many married women who had lost their jobs would simply have 'redefined themselves as housewives', and young single women who would normally have entered the labour force were unable to find jobs in the period.⁹⁴

In addition to the nearly 15% female unemployed recorded in 1933, Keating estimated that another 4-5% had dropped out of the workforce and were not counted as unemployed.⁹⁵ Moreover, official data does not include the extensive under-employment that occurred during the depression. The 1933 census shows 8% of workers in part-time or rationed employment, but work rationing was widespread in many female occupations such as domestic service, clerical and retail, and under-employment was probably more widespread than officially recorded.⁹⁶ In early 1932, *Working Woman* reported that 'thousands of women and girls are working half (and

⁹¹ Margaret Power, 'Women and Economic Crises: the Great Depression and the Present Crisis', in Elizabeth Windschuttle (ed.), *Women, Class and History: Feminist Perspectives on Australia 1788-1978*, Melbourne: Fontana/Collins, 1980, p. 495.

⁹² *Official Year Book of the Commonwealth of Australia*, no. 28, 1935, p. 552.

⁹³ Light manufacturing industries suffered a great decline in the first year of the depression, but an increase in tariff protection and the 1931 devaluation produced increased demand and re-opened employment opportunities for their primarily female employees - see Summers, *op. cit.*, p. 444.

⁹⁴ Power, *op. cit.*, pp. 494-5.

⁹⁵ Keating, *op. cit.*, p. 333.

⁹⁶ Power, *op. cit.*, p. 495.

less than half) time and are being forced to maintain themselves upon a few shillings a week.’⁹⁷

At the time, women workers and especially married women, were being attacked from within the labour movement and by the media and conservative quarters for contributing to, or even causing, male unemployment because of their cheaper labour cost. They were widely blamed for taking men’s jobs and thus throwing “rightful” breadwinners out of work. As emotion and anger replaced logic or factual examination about the reasons for large-scale unemployment, women became the scapegoats.⁹⁸ As Power pointed out, in times of economic crisis and high unemployment, ‘negative attitudes towards women’s paid work become more pronounced.’ Thus:

antagonism towards female employment implicitly assumed that women do not have the right to paid work, that female unemployment is not ‘real’ unemployment, and that when work is short married women should devote themselves to household work and child-care.⁹⁹

But it was largely a fallacy that women took men’s jobs during the Depression. Male unemployment was far greater and more prolonged because it mainly occurred in the traditional male blue-collar industries of building and construction and heavy manufacturing industries, while women were heavily clustered in service and light manufacturing industries, particularly clothing and textiles, which experienced much less unemployment.¹⁰⁰ The major reason for women’s lower unemployment rate was the well-entrenched sex-segregation of the workforce, coupled with their lower wages. In 1933, occupational segregation of women and men was extreme: 41% of women worked in occupations where 90% and more of the workers were women; and 68% of women were in occupations where at least half the workers were women. Female factory workers were heavily concentrated in only a few light industries, with 86%

⁹⁷ *Working Woman*, 1/2/32, p. 2.

⁹⁸ Power, *op. cit.*, p. 499.

⁹⁹ *Ibid.*, p. 492.

¹⁰⁰ Summers, *op. cit.*, p. 444.

being in textiles, clothing, food, tobacco, paper, stationery, printing and book-binding.¹⁰¹

As already mentioned, women were subjected to pressure to leave the workforce and return to the home. Correspondents to the press displayed intense hostility towards married women workers who had an employed husband or father. Articles and editorials in the *Sydney Morning Herald* became 'overtly anti-feminist and more sinister', with paid work by married women being denounced as an 'evil'.¹⁰² The hostility towards women was not confined to attitudes, but became institutionalised in the practices of some trade unions and government officials. Queensland unions campaigned against married women workers, with the Shop Assistants Union organising a parade of sandwich-board men in Brisbane, as part of a campaign to expel married women from industry. Some unions terminated female membership upon marriage and others barred them altogether. Unions also unsuccessfully sought legislation by the Queensland Labor Government to compel married women to apply for work permits. And in Victoria, two unions openly opposed married women's employment, while the Clerks' Union was reported to be divided over the issue, despite its rules endorsing equal pay and opportunity for women.¹⁰³ In NSW, the passing of the Married Women (Lecturers and Teachers) Act in 1932 led to the dismissal of about 220 permanent women teachers and, until the Act was repealed in 1947, to forced resignations from the permanent staff of women who married.¹⁰⁴

Administration of unemployment relief by the States was haphazard and discriminatory. Despite contributions to unemployment funds being compulsory for all employed workers, 'this did not entitle everyone to unemployment benefits' and many, particularly women, received none at all.¹⁰⁵ According to Power, NSW government

101 Power, *op. cit.*, p. 496.

102 *Ibid.*, pp. 497-8.

103 Bremner, *op. cit.*, p. 292; for further information on the Queensland Government's refusal of unions' requests for legislation, see Heagney, *op. cit.*, pp. 99, 189.

104 Summers, *op. cit.*, p. 448.

105 Power, *op. cit.*, p. 500.

officials, 'acting on the belief that women had no "right" to work, discriminated against women when granting unemployment relief.'¹⁰⁶ And Stephenson recorded that single unemployed women were not entitled to the dole, 'but had to work for their keep or depend on charitable relatives.'¹⁰⁷ Alternatives were prostitution, or live-in domestic service positions, which were often highly exploitative. In 1930 the NSW Government sponsored a scheme to place untrained domestic workers in employers' homes for 10/- a week, plus a 5/- government subsidy. These young women were often sent to distant country areas, they had to repay their travel costs to the government before getting their 10/- wage and had to stay six months before being able to claim the 5/- subsidy.¹⁰⁸

A study by Muriel Heagney published in 1935¹⁰⁹ revealed that large numbers of unemployed women in Victoria were being denied relief sustenance payments by municipal authorities. A trade union report estimated that in 1930, 5-6000 women and girls were unemployed in Melbourne alone, in addition to thousands more working short time. Many were 'on the verge of destitution', yet the government had made no provision for them. Two years later, the estimated number was 11-12,000.¹¹⁰ In eighteen suburban municipalities investigated in 1930, no assistance at all was being given to unemployed women from sustenance funds, while only three provided registration facilities for women.¹¹¹ In 1932 W. Kent Hughes, Minister for Sustenance in the new Nationalist State Government, declared that as long as domestic work was available 'at any wage, under any conditions anywhere in Victoria', the Government was not obliged to provide assistance for unemployed women. In that year one woman

¹⁰⁶ *Ibid.*

¹⁰⁷ Rosalie Stephenson, *Women in Australian Society*, Melbourne: Heinemann, 1970, p. 28.

¹⁰⁸ *Working Woman*, 15/9/30, p. 3; 15/1/31, p. 3.

¹⁰⁹ *Are Women Taking Men's Jobs?*, *op. cit.* Heagney had been actively involved in the ALP and trade union movement since joining the Victorian Political Labor Council in 1906. In 1919-20 she assisted unions in preparation of their submission to the Basic Wage Royal Commission and on several occasions over the next thirty years prepared union/ACTU submissions to the Commonwealth Arbitration Court for equal pay. See further below concerning Heagney's involvement in the Council of Action for Equal Pay from 1937-47.

¹¹⁰ *Ibid.*, pp. 114, 117.

¹¹¹ *Ibid.*, p. 115.

was claiming sustenance for every 19 men, but by mid-1935 the ratio had jumped to one woman for every 140 men.¹¹²

Heagney's survey of women's work in Victoria was a comprehensive study of women's situation, especially their unequal job opportunities and pay rates, and of female unemployment. Heagney was deeply committed to women's right to equality, to an independent income and to equal pay. As she said:

No longer "protected" in the home as the appendage of a man, women consciously demand recognition of the fact that women's right to work rests not on the number of her dependants, nor on the fact that she does or does not compete with men, but in the absolute right of a free human being, a taxpayer and a voter, to economic independence.¹¹³

Her book exposed the myth that women were 'taking men's jobs' in the Depression, by depicting the realities of their confinement to 'women's jobs' in a small number of industries. Women worked in only 87 of the 909 trades and callings listed by the Commonwealth Statistician.¹¹⁴ While admitting that women had an advantage over men in competition for jobs because of their low wages,¹¹⁵ she was adamant that equal pay must be fought for as a wage justice issue on the basis of working-class unity, and not as a means of protecting men's jobs at the expense of women workers. She maintained that:

Women are entitled to freedom of choice in the matter of employment equally with men, and the interests of all workers can only be safeguarded by the acceptance of equal occupational rates based on the nature of the job, irrespective of the sex of the prospective worker.¹¹⁶

Heagney's book had a 'major effect in making equal pay a serious national issue',¹¹⁷ and undoubtedly assisted in the revitalisation of labour movement campaigning.

Power claimed that trade union opposition to women workers during the Depression 'mainly took the form of demands for equal pay', and that 'union support for equal pay,

¹¹² *Ibid.*, pp. 110-11.

¹¹³ *Ibid.*, p. 12.

¹¹⁴ *Ibid.*, p. 14.

¹¹⁵ *Ibid.*, p. 13.

¹¹⁶ *Ibid.*, p. 189.

¹¹⁷ Bremner, *op. cit.*, p. 288.

in order to disemploy women, gathered strength.’¹¹⁸ Baldock also believed that unions were more favourable to equal pay in the period, as a way of keeping women from competing for men’s jobs.¹¹⁹ Some union leaders undoubtedly did advance equal pay demands during the Depression, as they had done in the 1920s, in order to preserve men’s jobs. However, there was no organised campaigning within the labour movement during the first half of the 1930s. Nor, apparently, did any union submit an equal pay claim to the Commonwealth Arbitration Court in this period.¹²⁰ As the Melbourne THC secretary, Albert Monk, stated in 1935, the trade union movement was divided on the question of equal pay and equality of opportunity for women.¹²¹ In the midst of severe economic crisis and unemployment, and widespread hostility towards women in paid work, it is not surprising that calls for equal pay were unpopular. Some feminist and labour activists, notably Street and Heagney, as well as the communists, continued to champion the need for equal pay through the first half of the 1930s, but with little tangible support. It was not until 1937 that a union-based conference led to formation of an organised campaign group.

The Equal Pay Conference held in Sydney on 22 May, 1937, was convened by the NSW Branch of the Federated Clerks’ Union (FCU) and attended by representatives of 53 trade unions, women’s and other organisations.¹²² It ‘heralded the advent of the first conscious equal pay movement in Australia’ and provided the ‘hitherto disparate sources of equal pay agitation’ with a central organisational base.¹²³ The FCU’s assistant state secretary, John Hughes,¹²⁴ presented the opening report, which firmly

¹¹⁸ Power, *op. cit.*, p. 499.

¹¹⁹ Cora V. Baldock, ‘Public Policies and the Paid Work of Women’, in Baldock and Cass (eds.), *op. cit.*, p. 35.

¹²⁰ No such cases are noted for the 1930s in *Equal Pay...*, *op. cit.*

¹²¹ Heagney, *op. cit.*, p. 188.

¹²² Minutes of Equal Pay Conference, 22/5/37, Council of Action for Equal Pay Minute Book 1937-40, Box 1165/3 and Report of Conference, Box 1164/6(a), MS 9106, Muriel Heagney Papers, La Trobe Library, State Library of Victoria [hereafter SLV].

¹²³ Penelope Johnson, ‘Gender, Class & Work: The Council of Action for Equal Pay and the Equal Pay Campaign in Australia During World War II’, *Labour History*, no. 50, 1986, p. 132.

¹²⁴ John Hughes was assistant secretary and vice-president of the FCU’s NSW Branch, 1933-41; state secretary and national vice-president, 1942-52; and president of the NSW Labor Council, 1937-41. Following a split in the NSW ALP at the 1940 State Conference, Hughes and others formed the left-wing

linked the question of women's unequal wage rates with their economic and social emancipation:

Equal pay means the establishment of economic independence for women and provides a basis upon which they can struggle to secure the consummation of full equality ... [It] will remove the intolerable unfairness to which women have been subjected in working for a rate below the value of the work they perform.¹²⁵

Hughes says the conference was his initiative. The union's state secretary, Alfred Evers, had reported a decision of the national conference that it was 'a good thing for the union to be identified with equal pay.' The reasons he gave were that 'men's jobs were being assailed and women were coming in and getting these jobs at less rates and consequently, the real breadwinners of the nation were being put on the scrapheap and so on.' Hughes was appalled with that as it was 'contrary to all the right principles.' The Federal officials' attitude 'made me irate about the whole business and started me off ... I said that it's true that there's a wide acceptance of the need for equal pay and that general mood shouldn't be allowed to escape, but it needs to be put on a proper basis.' He decided to organise an 'all-in' conference of everybody who believes in equal pay. He worked 'very hard on it for months', getting support from several unions in Sydney.¹²⁶

The motives behind the FCU national leadership's attitude towards equal pay undoubtedly had more to do with preserving men's jobs than with securing wage justice for lower-paid female clerical workers. Between 1921 and 1933, the number of commercial male clerks in Victoria had increased by 70, compared to a rise in females of 3,661, giving women a numerical majority of 1,691.¹²⁷ In 1937, when 55% of Victorian clerks were female, the FCU supported equal pay 'as a matter of strategy and principle,' Nolan said. While calling for equal opportunities for both sexes, it argued

ALP (State of New South Wales), commonly known as the State Labor Party, which merged with the Communist Party of Australia in January 1944.

¹²⁵ 'Declaration of Policy for Federated Clerks' Union (NSW Branch) on Equal Pay for the Sexes', p. 4, Report of Equal Pay Conference, Box 1164/6(a), Heagney Papers, SLV.

¹²⁶ John Hughes, tape-recorded Interview with author, Bateau Bay, 15/5/95.

¹²⁷ Bremner, *op. cit.*, fn. 31, pp. 430-1.

for equal pay 'in order to maintain husbands' capability to support their wives.' It wanted to prevent the increasing number of married women in the industry from taking jobs from unemployed workers and from 'substituting or undercutting' employed workers.¹²⁸ According to Hughes' report to the conference, of 40,000 clerks employed in NSW in 1937, 25,000 were female.¹²⁹

In unanimously adopting the Clerks Union's report, the conference endorsed the principle that wage rates should be determined on the basis of occupational rates, i.e. the 'rate for the job', rather than on the sex of the worker. This principle, first defined by Beatrice Webb in her Minority Report of the British War Cabinet Committee on Women in Industry in 1919, had long been advocated by Muriel Heagney and other campaigners, in preference to the limited and ambiguous demand of 'equal pay for equal work'.¹³⁰ Thus, reiterating Webb's formulation, the report stated:

The essential principle that should govern the fixation of wages in manual as well as brain-working occupations is that occupational rates should be prescribed for all persons of a like industrial grade. The computation of the rates should be settled by collective bargaining between the organisations of employees and the employers. There is no more reason for such occupational rates being made to differ according to the worker's sex than according to their race, creed, height or colour.¹³¹

The conference resolved to establish the Council of Action for Equal Pay (CAEP), which would conduct a campaign 'of propaganda and agitation to implement the policy of equal pay for the sexes.' It decided to organise deputations to Federal and State governments to propose that:

the respective Arbitration Acts be immediately amended to provide for occupational rates in all awards and industrial agreements. Such scales of wages or salaries not to be conditioned in any way by the sex of the employees.¹³²

¹²⁸ Nolan, *op. cit.*, p. 121.

¹²⁹ 'Declaration of Policy...', p. 3, Box 1164/6(a), Heagney Papers, SLV.

¹³⁰ Heagney, *op. cit.*, pp. 14, 132-3. See also Johnson, *op. cit.*, p. 137.

¹³¹ CAEP Minute Book, Box 1165/3, Heagney Papers, SLV.

¹³² *Ibid.*

At CAEP's first meeting on 14 June, 1937, Muriel Heagney and George Weir of the Public Service Association were elected joint presidents.¹³³ In September 1939 Heagney became honorary secretary, a position she indefatigably carried out until the organisation was disbanded in late 1947. There is no doubt that CAEP's consistent advocacy of a single occupational rate for the job irrespective of the worker's sex and the level of its propaganda and lobbying activities, were largely due to Heagney's dedicated commitment, energy and organising skills. The Council's minute-books, her large correspondence files, records of Court hearings in which she appeared as a witness, deputations to governments, the numerous conferences and meetings she attended and her extensive writings, are all testaments to the extraordinary amount of time and effort she devoted to the Council. That the efforts of Heagney and other CAEP activists did not succeed in achieving equal pay for women workers during the war and post-war years, does not diminish the historical value of their achievement in ensuring that equal pay became a major issue within the labour movement in the early 1940s.

In September 1937, CAEP adopted a policy statement on the basic wage and margins, which had been formulated to allow for the 'different views [that] exist as to the method in which equal pay should be applied.'¹³⁴ These differences, which had emerged at the initial conference and which became a continuing problem within the Council, centred on the issue of 'gradualism', as it was termed. That is, whether CAEP should campaign for implementation of full equal pay as a realisable goal, or the alternative option of progressive rises in wage rates over a period of time, towards eventual equality. The United Associations of Women (UAW), led by Jessie Street, favoured the latter approach, which was overwhelmingly opposed by CAEP's affiliates. This important strategic difference later developed into a major conflict leading to the UAW's

¹³³ CAEP Joint Presidents during its ten-years existence were: 1937-39: George Weir (Public Service Association) and Muriel Heagney (Clerks Union); 1939-40: Mr. C. Drummond (PSA) and Agnes Small (Hotel, Club and Restaurant Union); 1940-42: Robert Day (Rubber Workers) and Eileen Powell (Railways Union); 1942-47: Robert Day and Lucy Woodcock (Teachers Federation).

¹³⁴ Report by Executive on Policy for CAEP, Minute Book, Box 1165/3, Heagney Papers, SLV.

withdrawal. However, at this early stage the executive was clearly anxious to achieve unity through a shared policy. Therefore, the statement called for the law to be amended to raise the adult female base rate (then set at 54%) to equality with the male basic wage. 'In the event of failure to achieve this immediately', it went on, the female base rate to be increased immediately to a 'greater proportion' of the male base rate, with this proportion being progressively raised so that equality would be achieved 'within a reasonable period.'¹³⁵

In February 1938, CAEP held an interstate conference, attended by over 100 delegates from organisations and unions. It decided on a campaign to effect equal pay by amending the Constitution, including a petition seeking Federal legislation to enable the amendment to be put to a referendum.¹³⁶ With the ambitious goal of collecting one million signatures, the Council printed 20,000 petition forms for distribution throughout the country. The petition declared that the existing practice of prescribing lower wages for female workers, 'denies the recognised principle of equality' of men and women, 'denies to a female worker full payment for her work' and 'exposes male workers to the unfair competition of underpaid female workers.'¹³⁷ According to CAEP, it was signed by 'thousands of electors in all parts of the Commonwealth', but with the declaration of war, the referendum campaign was dropped as inopportune.¹³⁸

In late 1939 CAEP's policy statement adopted in 1937 was amended to delete all references to 'a greater proportion' and 'progressive increases', leaving an unqualified policy of an equal basic wage for all male and female workers.¹³⁹ This change was an outcome of the differences between CAEP and the UAW which had come to a head by then. The conflict had become openly acrimonious at a CAEP meeting in March 1938,

¹³⁵ *Ibid.*

¹³⁶ Report of Proceedings, CAEP First Interstate Conference on Equal Status and Equal Pay, Sydney, 8/2/38, p. 3, Box E138/18/82, Clothing and Allied Trades Union Collection, Noel Butlin Archives Centre.

¹³⁷ Petition form attached to CAEP letter, 11/10/38, in *ibid.*

¹³⁸ CAEP Circular to Federal Members of Parliament, 19/9/42, Folder 'Equal Pay Vol. III', ML MSS 2160, United Associations of Women Papers, Mitchell Library.

¹³⁹ CAEP Second Annual Meeting and Conference, 16/9/39, Box 1165/3, Heagney Papers, SLV.

following intervention by both organisations to the NSW Industrial Commission during applications by the Public Service Association concerning the female basic wage. George Weir, PSA delegate and CAEP joint president, reported that the UAW's advocate at the hearing, Nerida Cohen, had stated that a 100% immediate increase in women's wages would 'cause dislocation in industry' and that a 'slight increase with the power to increase further is the best means of effecting improvement.' Heagney believed that it was 'very dangerous to admit any weaknesses in the claims' and a 'vital mistake' to represent equal pay 'as a dream of the far future.'¹⁴⁰

The UAW held four different policies on equal pay between 1935 and 1940.¹⁴¹ It first advocated an equal, but lower, basic wage for both sexes, based on the needs of two adults and one child, suggesting an employer-funded child endowment scheme for other children. A year later, its policy changed to a basic wage for two adults' needs, with endowment covering all children. The third policy, in 1937, was for the female basic wage to be raised to 60% of the male rate, increasingly yearly by 5% to 80%. Finally, the UAW attempted to intervene in the 1940 Federal Basic Wage case to advance its fourth policy of 60% plus 2% quarterly increases until equal pay was achieved.¹⁴²

The conflict over strategies erupted into the public arena in October 1939, when Jessie Street argued in the press that the demand for immediate equal pay would force employers out of business and increase unemployment, a danger which would be avoided with the UAW's gradualist plan.¹⁴³ The then CAEP joint president, Agnes Small, responded that the Council had rejected the UAW's policy because it showed more concern for employers' profits than for equal pay. 'It must be obvious to all,' she

¹⁴⁰ CAEP Special Meeting, 3/3/38, Box 1165/3, Heagney Papers, SLV.

¹⁴¹ Patricia Ranald, 'Feminism and Class: A Study of Two Sydney Women's Organisations during the Depression and War Years 1929-1949', M.A. Thesis, University of Adelaide, 1978, p. 72. (Sections of this Thesis were later published as Ranald, 'Feminism and Class: the United Associations of Women and the Council of Action for Equal Pay in the Depression', in Bevege *et. al.*, *op. cit.*, pp. 270-85).

¹⁴² *Ibid.*, pp. 81-2. The UAW's third policy, which was advocated in a letter to all NSW Parliamentary Members in October 1937, is reprinted in Radi (ed.), *op. cit.*, p. 85. Its final policy was explained in its pamphlet No. 8, *How to Achieve Equal Pay. Incorporating A Five Year Plan For Equal Pay*, Sydney: United Associations of Women, n.d. [1940?].

¹⁴³ *Daily News* (Sydney), 24/10/39, p. 4 and 27/10/39, p. 4.

said, 'that the writer's [Street's] main concern is to work out a plan whereby equal pay may be achieved without lessening profits, and not with the application of the principle itself.'¹⁴⁴ Publication of Small's article was later endorsed by a CAEP meeting amidst heated discussion.¹⁴⁵ The UAW withdrew its affiliation from CAEP the following month¹⁴⁶, but requested re-affiliation in April 1940, on the basis that it would refrain from publicly advocating its policy and that it be allowed to put its views before CAEP's annual meeting to be held in July.¹⁴⁷ Relations did not improve, however, and the UAW cancelled its affiliation and withdrew from the Council in August 1940. The July AGM reaffirmed CAEP's equal pay policy adopted in 1939.¹⁴⁸ As the Council's minutes show, a major factor in the break with the UAW was the concern that the equal pay case must be presented as a united argument, especially at a time of growing employment of women on war-related work. Heagney and others argued that if differences of view were aired publicly, the campaign for equal pay for women entering men's jobs would be very adversely affected.¹⁴⁹

These fears appeared to be well-based, when the antagonism between the two strategic positions culminated during the 1940 Federal Basic Wage Inquiry. Without consulting the unions, the UAW attempted to intervene in the Arbitration Court hearing to argue its gradualist policy. Its action was supported by some twenty women's organisations from all states, including all branches of the National Council of Women.¹⁵⁰ Heagney and Hughes appealed directly to the ACTU's secretary and Court advocate to prevent the UAW's appearance, arguing that such an action would disadvantage future

¹⁴⁴ *Ibid.*, 28/10/39, p. 4.

¹⁴⁵ Minutes, CAEP meeting, 21/11/39, Box 1165/3, Heagney Papers, SLV. Nearly fifty years later, Agnes (Topsy) Small revealed that those parts of the article attacking Street had, in fact, been written by Heagney - see Audrey Johnson, *Bread & Roses*, Sydney: Left Book Club, 1990, p. 118.

¹⁴⁶ Minutes, CAEP meeting, 28/11/39, Box 1165/3, Heagney Papers, SLV.

¹⁴⁷ Minutes, CAEP meeting, 16/4/40, Box 1165/3, Heagney Papers, SLV.

¹⁴⁸ Minutes, CAEP meeting, 21/5/40, Box 1165/3; Third Annual General Meeting, 16/7/40, Box 1165/3; CAEP meeting, 15/10/40, Minute Book 1940-42, Box 1166/1, Heagney Papers, SLV.

¹⁴⁹ Minutes, meeting of UAW and CAEP officials, 21/2/40, Box 1165/3, Heagney Papers, SLV.

¹⁵⁰ Peter Sekules, *Jessie Street: A Rewarding but Unrewarded Life*, St. Lucia: University of Queensland Press, 1978, p. 73; and Winifred Mitchell, *50 Years of Feminist Achievement: A History of the United Associations of Women*, Sydney: United Associations of Women, n.d. [1979], p. 25.

submissions to the Court concerning equal pay.¹⁵¹ Subsequently, the ACTU successfully opposed the intervention. According to Ryan and Rowse, the unions were 'understandably furious' about the UAW's attempted intervention, as they had been putting the equal pay case and the publicity gained by the alternative case would 'weaken the union demand.' The UAW's position, they said, made no recognition of women's strengthened bargaining position because of the war needs, nor of the 'greater possibility of achieving equal pay in one step.'¹⁵²

Although Heagney and other CAEP leaders certainly held this view, it is doubtful that it accurately reflects the union movement's position at the time. At this early stage of the war, the unions and the ACTU did not have a united view over the issue of equal pay, either for the large numbers of women expected to go into men's jobs in war-production industries, or for the general female workforce. It was not even clear at that stage whether some unions might oppose the female 'invasion' of male industries, nor what their attitudes might be about the classifications that women could enter, their pay rates and working conditions. A common union movement position about equal pay and the employment of lower-paid women to replace men, was not reached until early 1942. A further indication that equal pay was not a major concern during the 1940 Basic Wage Inquiry, was that none of the seventy unions involved 'had made any reference to women's wages in their applications', although the ACTU secretary told the Court 'that a special claim on behalf of women was intended later.'¹⁵³ Despite the UAW's failure to intervene in the Court, its actions received much press publicity and Street presented their case to a meeting of union officials in Melbourne. The thirty unions represented unanimously called on the ACTU to make a common Federal Court application for equal pay in all new industries, as well as those women were entering

¹⁵¹ Minutes, CAEP meeting, 21/1/41, Box 1166/1, Heagney Papers, SLV.

¹⁵² Ryan and Rowse, *op. cit.*, p. 22.

¹⁵³ Sekules, *op. cit.*, p. 74. The Chief Judge stated that the Court was not able to hear the UAW's advocate because none of the unions had made any reference whatever to women's wages in their applications - see UAW report reprinted in Radi, *op. cit.*, p. 88.

for the first time, and for an increased female minimum wage for other women workers.¹⁵⁴

Despite the rift between CAEP and the UAW and the deep animosity between Heagney and Street, by the end of 1940 they held similar views about equal pay for women war workers in male industries. The major divergence remained the method of achieving the same basic wage for both sexes; but on the necessity of equal pay for women entering men's jobs or new industries, there was no difference. Thus, in her speech to the Victorian unions' meeting, Street pointed out the need for equal pay to be gained at the present time. If the male occupations that women were entering were geared down to the female pay rate, she warned, it would be impossible for men to be re-employed in them. 'We would then have the experience of the last depression repeated, when men were unemployed and women were working at female rates of pay.' And if new industries were permitted to start on cheap female wage rates, there was the risk of future standards of living being undermined.¹⁵⁵ Likewise, CAEP decided in August 1940 that women employed during the war period on work previously done by men, should be paid 'the same rates as the men whom they have displaced.'¹⁵⁶ Joint presidents, Eileen Powell and Robert Day, argued for the principle of equal pay to be established now, in order to avoid chaos later:

Once certain industries are allowed to be established and expand on a basis of cheap female labour supply it will be doubly hard to force the change ... If the evil of low female wage rates is not smashed we will hear after the war the frenzied demands for the dismissal of women workers. The blame will be thrown upon them for unfairly competing with men and thus causing male unemployment, the same as was done in the depression years ... Women will find themselves the first victims of post-war chaos.¹⁵⁷

¹⁵⁴ Radi, *op. cit.*, pp. 88-9; Sekules, *op. cit.*, p. 75; Mitchell, *op. cit.*, pp. 25-6.

¹⁵⁵ Radi, *op. cit.*, p. 88.

¹⁵⁶ Minutes, CAEP Conference on 'Women and Children in Industry in Wartime', 10/8/40, Box 1165/3, Heagney Papers, SLV.

¹⁵⁷ *Ibid.*

This chapter has depicted the legitimization of the pre-existing sexual division of labour in the Commonwealth Arbitration structure, and the way that the 'family wage' concept acted as a barrier to equal pay over ensuing decades. It has thus provided the historical context for an understanding of the views of the major players towards the issue of equal pay during the 'total war' period of 1942-43, and has 'set the stage' for examining labour movement and employer responses to large-scale female employment in male jobs.

CHAPTER FOUR

WOMEN IN MEN'S JOBS DURING WORLD WAR II: LABOUR MOVEMENT RESPONSES

'Woman has been able to assert a degree of economic independence never previously attained. The home remains her citadel, but factory and workshop have become her arena. I have done my best in the face of an age-old law to have women paid on their merits. I see no reason why a woman should be paid less than a man for the same work.'

- Prime Minister John Curtin, August 1943.¹

This chapter provides an overview of the policies and actions of industry unions, the Australasian Council of Trade Unions (ACTU) and the Curtin Labor Government. It begins by examining the shifts that occurred in the utilisation of female war workers in 1940-41, and then in 1942-43, the period of 'total war' mobilisation generated by the Japanese war in the Pacific. It examines the union movement's concern about the employment of low-paid women to replace men in industry, the government's response to their demand for equal pay in order to safeguard men's jobs and pay rates, and its reasons for establishing the Women's Employment Board (WEB) to determine the wages and conditions of women working in 'men's jobs'. The Board's major wage decisions for the munitions and metal industries and the union movement's responses, are outlined, together with the growing problem of wage anomalies and industrial unrest among the majority of women workers outside the WEB's jurisdiction, who were still being paid low female rates.

At the outbreak of the war in Europe, 644,000 women - 24.2% of all women 14 years of age and over - were engaged in paid work. Only 1,000 (0.2%) were engaged in direct

¹ *The Australian Women's Weekly*, 14/8/43, p. 9.

war work on munitions production, while 149,000 worked in factories on civil production and 20,000 in rural industry. At December 1941, 738,000 women - 26.8% of all women - were employed. Of these, 11,200 worked on munitions production; 3,600 were in the auxiliary and nursing services of the defence forces; 60,000 were engaged in defence work in factories and another 128,000 in civil production; with rural industry absorbing 25,000. The major shifts between late-1939 and late-1941 were that over 10,000 women came into munitions production in government or semi-government factories and a further 60,000 into direct war contracts in private factories; whilst the numbers engaged on civil production dropped by 21,000.² Whilst this movement of female labour in the first two years of the war was a significant indicator of the transfer of men to the armed forces and the early changeover from civil to war production, it was only a prelude to the far greater changes of 1942-43.

At June 1943, the numbers of employed women had jumped to 840,000 (29.9% of all women, an increase of 5.7% since the beginning of the war). The numbers engaged on direct war work in production or the Forces had dramatically increased - from 74,800 in December 1941 to 190,000. This figure comprised 44,700 in the Services, 39,400 on munitions and aircraft production, and 106,000 on other defence work in factories. The numbers of women working in civil factory production had fallen markedly to 80,000, while those in rural industry had risen to 55,000.³ By the end of 1943, it was estimated that over 200,000 more women than normally, were working in essential occupations - comprising some 100,000 who would not normally have been in paid work, plus about 100,000 previously in private domestic service. A further indication of the significant shifts in the normal social pattern of female employment, was that 11.4% of all married women were working in mid-1943, compared with 5% in 1933. (In the age groups 14-19 and 20-29, the proportions were 19.6% and 17.8%).⁴

² *Facts and Figures of Australia at War*, no. 1, June 1943.

³ *Ibid.*, no. 2, September 1943, p. 11.

⁴ *Ibid.*, no. 5, June 1944, pp. 34-5.

The greatest movement of female labour was into the engineering, metal and vehicle industries, which absorbed nearly 80,000 women, including 39,000 in government munitions establishments.⁵ Stimulated by wartime demands for greatly increased production in steel, shipbuilding, aircraft and munitions, the metal trades workforce nearly doubled between 1938-39 and 1943-44 - from 177,000 to 341,000.⁶ For the same period, female employment in the metal industry rose from 9,500 to 55,200, with the femininity rate trebling from 5.4% to 16.2%.⁷ For all wage-earners across industry, the ratio of males to females decreased by almost 26% since the 1933 census - from 265 males to every 100 females in 1933 (and about the same at the outbreak of war) to 197 in June 1944.⁸

In the mobilisation of its labour power for both the Defence Forces and war-related production, Australia's war effort was remarkable. According to the Manpower Directorate head, Wallace Wurth, the total working population expanded by more than half a million people from the outbreak of war to June 1943, while nearly 740,000 had been withdrawn for the Forces.⁹ He estimated that these additional workers came from three main sources: absorption of 272,000 unemployed who had numbered 300,000 or 10% of the breadwinning population at the start of the war; those who would not normally be working or who deferred retirement (100,000 women and 73,000 men); plus a natural increase of 105,000 people. Thus, a total of 560,000 people were added to the workforce.¹⁰

⁵ *Ibid.*, no. 4, March 1944, p. 22.

⁶ Jim Hagan, *The History of the A.C.T.U.*, Melbourne: Longman Cheshire, 1981, p. 137.

⁷ Tom Sheridan, *Mindful Militants: The Amalgamated Engineering Union in Australia 1920-1972*, Cambridge: Cambridge University Press, p. 160.

⁸ *Facts and Figures of Australia at War*, no. 6, September 1944, p. 26.

⁹ Wallace C. Wurth, *Control of Manpower in Australia: A General Review of the Administration of the Manpower Directorate*, Sydney: Government Printer, 1944, p. 136.

¹⁰ *Ibid.*

Recent accounts of the war's impact on female employment have, however, cautioned against exaggerating the growth in employed female labour and underrating the fact that working-class women have always been in paid work.¹¹ As White has explained:

It is impressive that 200,000 women were newly employed because of the war, but this should not obscure the continuity of women's participation in the workforce: over three times as many were employed before the war began.

From 643,600 in mid-1939, the numbers of women employed (including in the Services) rose to a peak of 855,000 in mid-1944. The raw figures are misleading, he went on, in that they do not account for natural growth in the workforce and in the population generally - an increase of 180,000 in the numbers of working-age women. Also, the war 'soaked up' unemployment: recorded female unemployment fell by 17,800 in the war years and high hidden unemployment among women would have added substantially to that figure. A more accurate picture of women's workforce participation during the war is seen from the shift in women working as a percentage of all working-age women: this figure increased by only 4% between mid-1939 and mid-1945 - from 27.6% to 31.6%.¹² The most significant changes in female employment were in the types of work that women did, particularly their shift into traditional male jobs in heavy industry; as well as the influx of middle-class, married and older women who would not normally have been in paid work.

Within two months of taking office on 7 October 1941, the Curtin Government was confronted with the urgent task of mobilising the entire population for a total war effort. For the first time, Australians experienced war virtually on their doorsteps, with the threat of invasion continuing throughout 1942 and into 1943.¹³ Securing the cooperation of the peak bodies of employers and workers was essential for the changeover from civil production to essential war production. The needs of the

¹¹ See Richard White, 'War and Australian Society' in Michael McKernan and Margaret Brown (eds.), *Australia: Two Centuries of War and Peace*, Canberra: Australian War Memorial, 1988, p. 410; and Kate Darian-Smith, *On The Home Front: Melbourne in Wartime 1939-1945*, Oxford: Oxford University Press, 1990, pp. 57-8.

¹² White, *ibid.*

¹³ J.J. (John) Dedman, 'The Labour Government in the Second World War: A Memoir', Part II, *Labour History*, no. 22, May 1972, p. 54 and Part III, no. 23, November 1972, p. 48.

national war effort entailed many harsh, even draconian, government controls over people's lives. These included sharply reduced consumer goods, rationing and restricted shopping and home-delivery times; wage-freezing, price control and profit limits; severe Manpower direction of labour employment amounting to conscription; dilution and short-training schemes to allow non-qualified people ('added tradesmen') to work in skilled trades; much longer work hours and strictly restricted time off; as well as the large-scale entry of women on work that had previously been done by men.

Workers and unions were urged to concur with a wide range of measures which they would not normally have countenanced. As Walker noted in 1947, dilution of trade skills, emergency industrial-training schemes and employment of women on men's work, in particular, 'cut sharply across traditional labour tenets.' They 'represented sacrifices of principle, to be made only because the nation, including the workers, was in dire peril; and, even then, to be hedged around with jealously guarded conditions.'¹⁴ 'It is indeed doubtful,' he said, 'whether the regimentation of labour could have been carried so far by any non-Labor government as it was from 1942 on.'¹⁵ Even strike action, whilst not entirely conceded, was regarded by the ACTU and most unions as a last resort, to be averted if possible.¹⁶ However, after a slowdown in 1942, industrial stoppages 'remained at a high level', especially in the coalmining industry.¹⁷

¹⁴ E. Ronald Walker, *The Australian Economy in War and Reconstruction*, New York: Oxford University Press, 1947, pp. 284-5. (Walker was former Deputy Director General of the Department of War Organisation of Industry).

¹⁵ *Ibid.*, p. 289. This view is borne out by an editorial in the *Australian Worker* (11/2/42) stating that 'the unions would not have accepted the [manpower] regulations from any other than a Labour Government ... [They] have implicit trust in the Labour Prime Minister and are prepared to grant him and his Cabinet colleagues powers which, in the most vital sense, are incompatible with Labour principles.' See Paul Hasluck, *The Government and the People 1942-1945*, vol. 2, Canberra: Australian War Memorial, 1970, p. 249.

¹⁶ At a meeting held 15-17 December, 1941, the ACTU Full Executive had laid down that 'no stoppage of work take place unless authorised by the union or unions governing an industry' and that 'stoppages or any form of industrial dislocation shall be sanctioned only after the most complete exhaustion of conciliatory methods', 'Industrial War-Time Policy of the A.C.T.U.', ACTU Minutes, D65, University of Wollongong Archives [hereafter WU Archives]. Not all unions fully followed that policy and indeed, it was often not possible for union leaderships to avert stop-work action, including by women workers on many occasions. The Amalgamated Engineering Union did not endorse these points of the ACTU's policy and throughout the war, 'continued to view its members' right to strike as inalienable.' - see Sheridan, *op. cit.*, pp. 147-8.

¹⁷ Ray Markey, *In Case of Oppression: The Life and Times of the Labor Council of New South Wales*, Leichhardt: Pluto Press, in association with the Lloyd Ross Forum of the Labor Council of NSW, 1994, p. 359. For the coal-mining industry, see Hasluck, *op. cit.*, pp. 57-8, 254-9.

The securing of the required level of support for Australia's total war effort was not only greatly assisted by political events at home, with the parliamentary defeat of the conservative United Australia Party (UAP) coalition. It also had much to do with the totally changed situation in the wake of Hitler's attack on the Soviet Union in June 1941. For communists world-wide, as well as many left-wing socialists, the Nazi invasion decisively transformed the 'imperialist war' into a just 'people's war' to defeat fascism. The Communist Party of Australia (CPA) had been stridently opposing the war since November 1939 and using its influence within the labour movement in a policy of non-cooperation with the discredited Menzies government's war measures. But from mid-1941 and especially after Labor took office, the communists became the strongest advocates for the war against fascism, under the slogan of 'All Out For The War Effort'. In the CPA-influenced unions, they strove to increase production, avoid strikes and encourage workers' compliance with the government's war measures. As Ernie Thornton, communist leader of the Federated Ironworkers' Association, wrote in mid-1943, 'the military struggle against fascism became the paramount issue' in trade union policy, demanding 'maximum production in war industries, continuity of work and labour discipline. To the Communists the situation was clear, the needs of the war came first.'¹⁸

Female employment in the Services or on war production in industry was on a small scale during 1940 and had not yet aroused widespread concern within the trade union movement. Women's employment in munitions increased in the first half of 1941; at the end of June, 11,563 women were employed in the Services, or the Departments of Munitions and Aircraft Production.¹⁹ The rapid expansion of munition factories from nine in 1939 to twenty in 1941 with another sixteen under construction²⁰, opened up

¹⁸ Ernie Thornton, 'The Trade Unions in 1943', *Communist Review*, March 1943, p. 20.

¹⁹ Hasluck, *The Government and the People 1939-1941*, vol. 1, Canberra: Australian War Memorial, 1952, p. 407.

²⁰ Michael McKernan, *All In! Australia During the Second World War*, Melbourne: Thomas Nelson, 1983, p. 79.

wider work opportunities for large numbers of unskilled women. In order to attract the necessary numbers of women workers, government munition jobs paid higher wage rates than many other female occupations. A study by a women's welfare officer in a small arms ammunition factory in 1941, found that of 800 girls and women surveyed, 458 had previously been domestic servants or factory workers. Eighty of the girls had previously earned around 27s. per week, compared to about 63s. for a six-day week in munitions and 65.6s. for an adult. Many of the former domestic workers had been earning less than 20s. (£1) a week and some, 10s.²¹

Women also entered work areas previously dominated by men, particularly in retail, banks, offices and factories. Tram and bus conducting was one of the most sought after and highest paid jobs. The Melbourne Tramways Board had ruled out women's employment in April 1941, but a few months later in the face of increasing staff shortages, it announced that women would be taken on as 'assistant tram conductors'. The Tramways Union initially opposed the move, claiming that women were 'physically and psychologically unsuited' for the work, but only 250 workers from a workforce of 3,500 attended a protest meeting and the opposition faded out.²² The number of female conductors grew from eight in September 1941 to 582 by mid-1942 and to 1,000 in 1943. They were employed as temporaries, to be put off at war's end, and on male pay rates, 'on the principle that lower-paid females could not be allowed to oust higher-paid men.' Their weekly wage was £6 - far higher than unskilled women could get elsewhere.²³ Thus, women's entry into the Tramways in Melbourne was generally accepted on the basis of equal pay and their temporary status. In Sydney, however, male opposition was stronger against women coming in, even on male rates. In July 1942, when the NSW Transport Minister announced the immediate employment of 500 women if the union agreed, a large majority of union members rejected the proposal. Soon after, the union was told that the women would receive male award

²¹ Helen Crisp, 'Women in Munitions', *Australian Quarterly*, September 1941, pp. 72-3.

²² *The Age*, 2/8/41, 5/8/41, 27/8/41, 9/9/41 and 21/10/41; McKernan, *op. cit.*, p. 79; John Barrett, 'Living in Australia 1939-1945', *Journal of Australian Studies*, no. 2, November 1977, pp. 115, 117.

²³ Barrett, *ibid.*, p. 115.

rates and conditions. Despite continued union opposition, the WEB decided that women could be employed, on the same pay rates as men.²⁴ Tram and bus conducting was among the relatively small number of male jobs where women were paid the full male rate, mostly through consent agreements between the employer and the Board.

During 1941 pressure mounted in the union movement to reach a common position about the issue of women replacing men. It had become obvious that large-scale female employment in male work areas would occur, regardless of whether individual unions opposed or supported it. Some unions and workers were against women entering their industry under any circumstances. The Amalgamated Engineering Union, for example, strongly opposed any incursion of women into their skilled trade,²⁵ but after its rules were amended to allow for female members and it had achieved its desired safeguards for male skills and jobs, it enrolled over 4,000 women between April 1943 and 1945.²⁶ A government regulation in May 1943, extending the 1940 engineering dilution agreement to women, stipulated that women employed on tradesmen's work must receive equal pay and agree to leave their jobs as soon as qualified men became available.²⁷ Other unions attempted to obtain the full male rate for women before they would agree to female employment in their industry. In an important test case in the Commonwealth Arbitration Court in 1941, metal industry unions included an equal pay claim in their application for a new Metal Trades Award. However, the claim was rejected in August 1942; women with under three months' experience in the industry were awarded 65% of the male basic wage, while all others received 75%.²⁸

²⁴ *Sydney Morning Herald* [hereafter *SMH*], 30/7/42, 6/8/42, 18/8/42, 27/8/42. Later, during a debate on the issue in the NSW Labor Council, the union's bus section secretary, A.C. Bagnall, affirmed that he was opposed to women's employment on buses and trams, even for male pay rates and conditions, as 'the industry in Sydney was not suitable for women.' See Authorised Report by Edgar Ross of NSW Labor Council general meeting, 10/9/42, and Council Minute Book, CY ML MSS 2074/24, Mitchell Library.

²⁵ In late 1940, the AEU's Commonwealth Council declared that under no circumstances would it agree to women's entry into the skilled trades - see Sheridan, *op. cit.*, p. 160.

²⁶ Sheridan, *op. cit.*, p. 162.

²⁷ S.J. Butlin and C.B. Schedvin, *War Economy 1942-1945*, Canberra: Australian War Memorial, 1977, pp. 369-70.

²⁸ 47 CAR 776, p. 788.

By 1941 most unions were resigned to women being employed in men's jobs, although many would have disagreed with such a drastic change from the normal workforce gender division. A Federal unions' conference and the 1941 ACTU Congress overwhelmingly endorsed the principle of equal pay. The major motivation of most union officials, however, was protection of male jobs, skills and higher pay rates. That is, their concern to gain equal pay for women war workers stemmed from the need to ensure that male standards would not be devalued by cheaper female labour and that returning servicemen could reclaim their jobs on the previous terms. There was universal agreement that women must not be allowed to come into men's jobs on the female wage of around 54% of the male rate and that efforts must be made to secure equal pay as a condition of their entry. The major problem was how to enforce employers' compliance in the absence of a united union movement policy and government direction. Individual union applications to the Arbitration Court seeking equal female rates would not only involve cumbersome and lengthy legal processes, but would have little hope of succeeding.

During the first eighteen months of the war, the union movement as a whole had been slow to take a lead on the issue of low-paid women coming into industry. Agitation about the need for women war workers to be paid equal rates was, in the main, left to women's groups, the Council of Action for Equal Pay (CAEP) and those unions willing to do more than simply endorse the principle of equal pay. Apart from passing resolutions supporting equal pay, the ACTU Executive took no decisive steps towards its achievement until the end of 1941-early '42, by which time the situation had virtually reached crisis point.

Between April 1941 and February 1942, five Federal union conferences discussed the problem of equal pay in the light of women war workers entering men's jobs. Delegates from 24 unions with women members attended the first ACTU-sponsored conference in April. Its resolutions represented the highpoint of CAEP's influence

within the union movement, being virtually identical with its equal pay policy. The conference reaffirmed the ACTU's policy of equal pay for the sexes and called on the ACTU executive to put in motion the necessary machinery to make this principle apply throughout industry; that its resolutions be reported to the forthcoming National Congress to enable united national action to enforce the principle; and that the ACTU prepare and present a case before the Commonwealth Arbitration Court for the adult female base rate to be the same as the male rate. The resolution affirmed 'the right of women to earn their living in industry, the professions, and the public services' and demanded for all workers 'the legal right to equal occupational wage rates based on the nature of the job and not on the sex of the worker.' It called for the female base rate to be raised from 54% to the male basic wage, for equal marginal rates, for equality of job opportunity and training, and for removal of all restrictions on married women's employment.²⁹ The April conference resolutions were subsequently unanimously endorsed by the June ACTU Congress, with an additional request that the Federal Labor Party take the necessary action to provide for equal pay for the sexes.³⁰

A further Federal unions conference held in September dealt specifically with the planned Court case for an equal female minimum wage. Three advocates were appointed and steps taken for union claims to be lodged for hearing early in 1942.³¹ (Nothing further was done about proceeding with this equal pay case, however, as it was soon overtaken by events, with the emphasis switching to the urgent problem of determining the pay rates of female war workers undertaking male jobs). The conference also decided to approach the Federal Government with the aim of securing equal pay under National Security Regulations. The Munition Workers' Federation reported that workers had already taken action about women being transferred to men's

²⁹ Minutes, ACTU Conference re Equal Pay for the Sexes, Melbourne, 22, 23 & 29 April, 1941; Box N14/126, Federated Ironworkers' Association Collection, Noel Butlin Archives Centre [hereafter FIA Collection, NBAC]. See also *Australian Trade Union Policy on Equal Pay and Equal Status 1941*. A.C.T.U. Takes Action, Leaflet No. 3, Sydney: Council of Action for Equal Pay, 1941.

³⁰ Minutes, ACTU Congress, 3/6/41, Box N63/51, FIA Collection, NBAC.

³¹ Minutes, Conference of Federal Unions with Women Members, Melbourne, 2/9/41, Box E218/21, FIA Collection, NBAC.

jobs in government munition factories for less than the male pay rate, and were demanding enforcement of equal pay by regulation.³²

Events moved swiftly following Labor's assumption of office in October. The ACTU and key industry unions now had far greater opportunity to meet with Ministers, several of whom had close links with the trade union movement,³³ and to influence government policy. On 15 December 1941, the Prime Minister announced Cabinet's approval 'of the principle of the extensive employment of women' in industries where insufficient numbers of men were available to meet required production levels. A Cabinet sub-committee would confer with unions and employers to develop a plan for the promulgation of necessary regulations to enable women's employment 'in occupations and under conditions which might be contrary to peace-time determinations.' It would 'deal with the matter with full regard to prevention of an invasion of men's work by cheap female labour.' Curtin also gave an undertaking that these women 'shall be employed only for the duration of the war, and shall be replaced by men as they become available.'³⁴ The 'careful repetition of assurances against permanent commitments', Butlin and Schedvin commented, 'reflects the resistance that had to be overcome.'³⁵ Cabinet had acted on a submission by the Minister for War Organisation of Industry, John Dedman, who had also recommended that women employed in industry on men's work be paid at least 66-2/3rds% of the male basic wage plus full skill margin, pending determination of appropriate rates by a tribunal. Rather than adopt this proposal, however, Cabinet appointed Dedman, Ward and Attorney-General Evatt as a sub-committee to develop the plan.³⁶

³² *Ibid.*

³³ Walker, *op. cit.*, p. 288. They included the Munitions Minister, Norman Makin, a longtime member of the Amalgamated Engineering Union - see Sheridan, *op. cit.*, p. 162; and E.J. (Eddie) Ward, Labour and National Service Minister, who later had responsibility for establishing the Women's Employment Board.

³⁴ *Digest of Decisions and Announcements*, no. 11, p. 13.

³⁵ Butlin and Schedvin, *op. cit.*, p. 32.

³⁶ J.J. Dedman, submission to Cabinet, 'Employment of Women', 13/12/41, pp. 7-8, File 1943/393, Series A9816/3; and J. Curtin, letter to Dedman, 20/12/41, File 1/S99, Series CP80/1, Australian Archives, ACT [hereafter AA ACT].

While stressing the urgency of government action concerning female employment in essential war-production industries, Dedman made it clear that he opposed equal pay. Rather, he was hopeful that the necessary numbers of women would be found for less than the cost of men, if their patriotism was sufficiently stirred:

It seems probable that necessary supplies of female labour can be obtained without offering men's wages, particularly if appeal is made to patriotic sentiment where women are required for the services and uniforms provided where possible. It is probable also that a substantial supply of female labour could be secured for munitions and other industries without departing from the present principles regarding the payment of females.³⁷

In view of the fact that female wages had traditionally been fixed at around half the male minimum, the government faced several difficulties over the issue of equal pay. As Walker explained, it had the power under wartime National Security Regulations to override Arbitration Court awards and increase female wages as it saw fit, as a necessary measure for the war effort. However, if some women were to be paid the same rates as the men they replaced, great disparities would be caused within the general female workforce, making it difficult to retain women in many essential industries paying lower rates. But if all women's wages were to be made equal with men's, 'it was feared that this would exert an inflationary pressure upon costs and prices.'³⁸ These concerns were expressed in Departmental briefing documents, which advised that adoption of equal pay for women employed in men's jobs would be prohibitively costly for the government and would have adverse inflationary effects on the economy. Spending power may be increased by some £5-£7.5 million for each 100,000 females so engaged. Further, if 'it ultimately became necessary to pay the male basic wage to *all* females', the figure would be around £50 million yearly.³⁹ Adoption of the principle of equal pay for equal work in wartime was 'utterly impracticable' because of:

the effects on spending power of inflating wage incomes; the increase in unnecessary and wasteful labour turnover which would follow; repercussions on the whole wage-structure built up under the arbitration system; its inadequacy as

³⁷ Dedman, submission to Cabinet, 13/12/41, p. 7, File 1943/393, Series A9816/3, AA ACT.

³⁸ Walker, *op. cit.*, p. 302.

³⁹ 'Notes on Proposed Utilisation of Women in Industry', p. 2, File 1/S99, Series CP80/1, AA ACT.

a protection to male labour displaced during the war; [and] various social problems that will be created by levelling up women's earnings.⁴⁰

In December 1941 the ACTU Full Executive adopted an Industrial War-Time Policy which stated, in part, that women's employment on men's jobs in industry 'shall be accompanied by safeguards providing that when on such work, they be paid men's rates and that men be reinstated on such work when available.'⁴¹ This last demand, meaning that women would have to vacate their jobs for returning men, was not included in the equal pay policy adopted by the April Conference and June Congress. Most union leaders probably did hold that view, but the union-based Council of Action for Equal Pay certainly did not. To its secretary, Muriel Heagney, the policy clause negated the longer-term principles of women's rights to equal work opportunities with men. It indicates that the ACTU Executive are:

still a long way behind public opinion on the matter of women in men's jobs because they are using the phraseology of the last war in expressing a policy that failed on that occasion to "safeguard" the men's position and implying that women's labour is not a serious factor in industrial life but may be used as a stop-gap in this emergency without any "safeguard" as to the economic future of the women so used.⁴²

There is no doubt, however, that the policies of both the ACTU leadership and the government reflected the dominant social attitude that women's entry into male work was a wartime necessity only, and that afterwards they should return to their home or to 'normal' women's jobs. Also, many union leaders were mindful of the unemployment amongst returned servicemen after WWI when lower-paid women were retained in some industries at the expense of men.

The ACTU's policy was a major agenda item at a significant Conference on Industrial Matters held at the end of December, convened by Labour Minister Ward and attended by several senior Cabinet ministers, ACTU and employer representatives, and

⁴⁰ 'Rates of Pay for Women', by S.J. Butlin, p. 1, File 1/S99, Series CP80/1, AA ACT.

⁴¹ Minutes, ACTU Full Executive Meeting, Melbourne, 15-17 December, 1941, Box D65, WU Archives.

⁴² Letter from Muriel Heagney to CAEP joint president, R.L. Day, 17/12/41, Box 1168/4, MS 9106, Muriel Heagney Papers, La Trobe Library, State Library of Victoria [hereafter SLV].

Arbitration Court Judges.⁴³ The ACTU Executive's delegate, P.J. Clarey, expressed its demand that women employed in men's work must be paid men's rates and its concern that when war conditions no longer apply, 'the tendency will be for women to be retained where they can do the work nearly on a par with men, and for the men to be kept out.' Women, he continued:

must be permitted to come into industry only upon such principles and under such conditions that when the men who have gone overseas return to Australia and are available for absorption in civilian industry, they will not find their positions and their standard prejudiced because it is found cheaper to keep women in certain jobs rather than have men engaged in them.⁴⁴

The employers' representatives consistently opposed equal pay.⁴⁵

The conference resolved to form an Australian Industrial Relations Council (IRC), comprising employer and union representatives, with Ward as chairman. Sir William Webb, a Queensland Supreme Court judge, was later appointed deputy chairman. The Council was to make recommendations to the government on industrial matters and problems affecting war production, with a specific brief being women workers' employment conditions.⁴⁶ But it collapsed within weeks, after the unions charged the employers with 'obstructive tactics' and the employers said they were 'not prepared to be used for the purpose of recording trade union decisions camouflaged as joint recommendations.'⁴⁷ Following the IRC's demise, the employers' organisations said they had sought to endorse proposals concerning women's employment put forward by Dedman on behalf of Cabinet, but 'their views were rejected by the vote of the employees' representatives, together with the Chairman [Webb].' The Associated Chambers of Manufactures believed that Cabinet was 'divided in its opinion on the

⁴³ C.R. Hall, *The Manufacturers: Australian Manufacturing Achievements to 1960*, Sydney: Angus & Robertson, 1971, p. 635; and Hagan, *op. cit.*, p. 180. (Hall was Secretary of the Chamber of Manufactures of NSW from 1936 to 1960)

⁴⁴ Transcript of Proceedings, 'Conference on Industrial Matters held at Parliament House, Canberra, 27-28 December, 1941', (Proof), Print No. 8446, Canberra: Commonwealth Government Printer, p. 8, File W5318, Series A472, AA ACT.

⁴⁵ *Ibid.*, pp. 13-14, 15, 17.

⁴⁶ Hall, *op. cit.*, p. 637; Hagan, *op. cit.*, p. 181. Union representatives were R.A. King, F. Walsh, A.C. Crofts and P.J. Clarey (ACTU), C.G. Fallon (AWU, Queensland), J. Cranwell (AEU), J. Healy (Waterside Workers' Federation) and J.H. O'Toole.

⁴⁷ Hall, *op. cit.*, pp. 638-41; Hagan, *op. cit.*, p. 181; Hasluck, *op. cit.*, vol. 2, pp. 59-60.

subject of payment of men's wages to women workers' and that the views put by Dedman, 'which were adverse to such payments being made, were strongly contested by Ward, Holloway and probably other Ministers.'⁴⁸

A participant in the IRC meeting, Jim Healy, communist leader of the Waterside Workers' Federation, later reported to the NSW Labor Council that much to the unions' consternation, Dedman 'had suggested that they should agree to women being taken into industry and allow the Court to determine what rate should be paid.' The employers supported the proposal, but the unions protested. Dedman then suggested 'that if women got as much as men the purchase of luxury commodities would increase and the economic system would topple.' When the unions asserted 'that if the government acted on such an idea it would be making a bad blunder, Dedman shuffled and said he had only put the idea forward "to see how it would go".'⁴⁹ According to the UAP Member for Wentworth, E.J. Harrison, Dedman had said it was Cabinet's view that the question of women's pay and conditions should be a matter for the Arbitration Court. He had also maintained 'that if women were granted the same pay as men in the munitions industry, there would soon be a demand for equal pay in all other industries.' Also that 'it would create enormous purchasing power which, in turn, would cause a great demand for civilian goods and have a highly inflationary effect.'⁵⁰

Several industry unions were alarmed at the implications of the Canberra conference and especially, at the IRC's advisory role regarding women's employment and pay rates. They were concerned that the unions generally were not involved in these top-level negotiations with employers and government, that their views were not being heard and above all, that it was up to the union movement as a whole to develop a

⁴⁸ Hall, *op. cit.*, pp. 640, 648. The Associated Chambers' view is contained in a letter to Perry Engineering, Adelaide, 27/2/42, Chamber of Manufactures of NSW Collection, Box 186, D14/7/16(1), WU Archives.

⁴⁹ Edgar Ross, Authorised Report of NSW Labor Council meeting, 19/2/42.

⁵⁰ *Commonwealth Parliamentary Debates* [hereafter CPD], vol. 170, 20/5/42, p. 1445.

common policy on the issue, not some other body.⁵¹ A conference of unions covering principal war industries was hastily called in early January 1942 by officials from four unions, to discuss 'the problems arising from women's employment under wartime conditions [which] are fast approaching a crisis'.⁵² Twelve unions were represented, including the main metal industry unions - the FIA, AEU, Sheet Metal Workers and Munition Workers. The conference resolved that the IRC cannot properly determine the subjects before it, 'in the absence of knowledge of the considered policy of the organisations affected.' Therefore, it 'should refrain from determining any matters affecting employment of women in the industries concerned until such time as proper conferences have been called and a policy agreed upon.' The ACTU was urged to immediately convene a Federal unions conference in order to achieve a common policy on women in industry.⁵³ The need for such a gathering 'is obvious and urgent', the conference chairman later wrote, as contrary to the practice in Great Britain and America, women here 'are being transferred daily to men's work under instruction of Government officials without proper consideration and investigation of correct pay.'⁵⁴

The lengthy discussion at the January conference of the unions most affected by lower-paid women coming into men's jobs, reveals their concerns about the dangers of allowing the situation to drift on, whilst the union movement lacked a united strategy to protect the rights of women workers and those of the men they were replacing. Several speakers criticised the ACTU for its failure to give a decisive lead, while others admitted that their own unions had been tardy. The Munition Workers' delegate said his union 'now regretted that they had not taken independent action eighteen months ago when solution of the problems now becoming acute could have been achieved more easily.' And the Sheet Metal Workers (SMWU) representative said that metal trades

⁵¹ See, for example, statement by Jock MacKay, Munition Workers' Union secretary, to ACTU leaders that the question of equal pay 'should not be dealt with by any committee, body or authority, unless the union was represented' - Minutes, ACTU Emergency Committee Meeting, 6/1/42, Box N33/2, Sheet Metal Workers' Union [hereafter SMWU] Collection, NBAC.

⁵² Letter from Convenors, 8/1/42, part of Minutes of Conference, Melbourne Trades Hall, 13 and 15 January, 1942, Box 1143/6(a), Heagney Papers, SLV.

⁵³ *Ibid.*

⁵⁴ Undated Circular to Federal Unions from D.E. Lark, Box E170/9/27, FIA Collection, NBAC.

unions 'had been asleep when women were installed and his union was obliged to make the best bargain possible in certain instances, with the result that women did not get the full male rate.' The AEU's representatives explained its policy for the engineering trade: after all available men had been trained, women would be admitted under the dilution scheme to jobs for which they were suited, for which they were to be paid tradesmen's rates under all circumstances. Also, all men 'must go back into their jobs after the war and those who had temporarily replaced them would have to go out of the industry.' No-one spoke in support of the AEU's view that women must relinquish their jobs for returning men. Rather, the SMWU delegates disagreed that women should necessarily be replaced by men after the war, and specifically opposed the AEU's scheme for women to be 'forced out of the industry as soon as the men came back.'⁵⁵

After the ACTU secretary had stated the Executive's policy, he was questioned as to what safeguards had been made for women. 'The matter had not been considered,' he replied. The AEU delegate referred to the tendency to extend female employment to skilled tradesman's work, which represented 'a menace to the position of the men who normally occupied those jobs.' The Munition Workers' delegates also spoke about increasing attempts to have lower-paid women employed on skilled work rather than men. In a number of cases women are doing men's jobs in the industry at about 64% of the male rate, and managements 'were endeavouring to whip up a campaign amongst the girls so that they would insist on being put on machines.' Thus, the union's problem was not so much the displacement of men by women, 'but the derating of men to enable women to take the more skilled jobs.'⁵⁶

In February, the ACTU Executive convened a Federal unions conference in order to 'determine ways and means of implementing the ACTU policy on the matter of women

⁵⁵ Minutes of Conference, 13 and 15 January, 1942, *op. cit.*

⁵⁶ *ibid.*

performing men's work.'⁵⁷ It was the largest and most representative gathering to date, with over 70 delegates representing 39 unions. The mood of the delegates was summed up by Shop Assistants' Federal secretary, Ernie O'Dea, who reported that despite equal rates being fixed for both sexes in his industry, the employers 'now wanted women to do the work at women's rates even in cases where women were now receiving the male rate.' The breakdown of wage standards 'would lead to wholesale dismissal of men,' he warned. The main question was 'protecting equal pay where it existed by means of a National Security Regulation.'⁵⁸ The whole issue of enforcing men's rates had become urgent by this time, as three hearings were scheduled for the Arbitration Court within days, which could set a precedent for allowing lower-paid women into men's work.⁵⁹ The conference resolved that the ACTU should immediately request the government:

to arrange for an adjournment of Court proceedings and meet union representatives to discuss framing a Regulation to correct the present unsatisfactory position in relation to the introduction of females into industry at less than males' rates.

This composite motion was moved and seconded by Ernie Thornton, FIA national secretary and Muriel Heagney, representing the Clerks' Union. It differed significantly from an earlier amendment moved by Eileen Powell of the Railways Union and Heagney, which had unequivocally stated that women employed on men's work shall be paid male wage rates. Three delegates, Powell, O'Dea and Thornton, were elected to pursue negotiations with the government, together with ACTU representatives.⁶⁰ The Court duly adjourned the female wage cases at the government's request and union representatives met with Cabinet Ministers on 7 March.⁶¹

⁵⁷ Minutes, ACTU Full Executive meetings, 2 and 9 February, 1942, Box D65, WU Archives.

⁵⁸ Minutes, 'Conference of Unions having Women in Industry and Unions where Women may come in as a result of the War Situation', Melbourne, 19-20 February, 1942, Box E218/20, FIA Collection, NBAC.

⁵⁹ The cases listed for hearing by the Full Court in Sydney on 23 February, involved the Rubber Workers' Union, Tanners and Saddlers' Union, and the Australian Railways Union.

⁶⁰ Minutes, 'Conference of Unions....', 19-20 February, 1942, *op. cit.*

⁶¹ Eileen Powell was then Joint President of the Council of Action Pay. Her report to CAEP of the government-ACTU conference on 7 March is discussed in Chapter Seven, p. 222.

Shortly before the February union conference, Labour Minister Ward had submitted a proposal to Cabinet aimed at resolving the problem of determining the class of work on which women could be employed and the fixing of appropriate pay rates. The terms of this plan were that where women were performing men's work, the employer would pay them the female basic wage plus full margin, with the difference between the female and male basic wage rates being paid into a women's post-war benefit fund. In addition, in any industry where the female award was below 60% of the male basic wage, the employer would also pay the balance between the two rates into the fund. After the war's end, the fund would be used to benefit women displaced from industry by men returning to their former positions.⁶² Following Cabinet's approval in principle, Ward and Evatt were delegated to draft the enabling regulations. However, the idea of the post-war benefit fund was 'still-born'⁶³ and the scheme scrapped, in the face of union opposition to any proposal for deferment of wages. The ACTU Executive rejected 'any proposal that deferred pay be introduced for workers of either sex', and reiterated that women employed on men's work should be paid men's rates. The 'only justifiable departure' from that policy would be if a training period was 'deemed necessary for the efficient performance of skilled work.'⁶⁴

The government issued its first Employment of Women Regulations on 2 March 1942. They were explicitly temporary, pending the later issue of comprehensive regulations establishing the Women's Employment Board.⁶⁵ These first regulations authorised women's employment in munitions or aircraft production, on work ordinarily reserved by law or custom for males, at rates of pay to be provisionally fixed by the responsible Ministers.⁶⁶ On 6 March the Opposition accused the government of attempting to override Arbitration Court decisions by allowing Ministers to fix female pay rates in the

⁶² Cabinet Agendum 197, 17/2/42, submission to Cabinet by E.J. Ward, Vol. 2B, Series A2700, AA ACT. The plan is also detailed in Butlin and Schedvin, *op. cit.*, p. 32.

⁶³ Butlin and Schedvin, *ibid.*

⁶⁴ Minutes, ACTU Full Executive meeting, 3/3/42, Box D65, WU Archives.

⁶⁵ Statutory Rules 1942, No. 92, 2/3/42.

⁶⁶ Butlin and Schedvin, *op. cit.*, pp. 32-3; *SMH*, 3/3/42, p. 4. For the text of the regulations, see *CPD*, vol. 170, 26/3/42, pp. 438-9.

two industries. UAP Senate Leader McLeay charged the government with 'political interference' with the Court and 'political pandering' to the ACTU. And Menzies told the House he 'profoundly distrusted' the fixing of wages and conditions by regulation or that meantime, 'two Ministers should be given power to lay down the law on matters which involve the most difficult points of principle.' Curtin and Evatt maintained that the regulation was necessary in order to 'get over the hurdle' of an industrial agreement prohibiting female employment in munition establishments.⁶⁷

Shortly afterwards, the Munitions Ministry Secretary gave the go-ahead to the Lithgow Small Arms Factory management to immediately commence recruiting female labour for semi-skilled and unskilled operations. He outlined the agreement between the government and unions: where female labour was established in industry before the war, customary wage rates will continue; but for women being utilised in jobs customarily undertaken by men, a probationary period will apply, during which 'a graduated basic wage' will be paid. Commencing at 60% of the male basic wage, it will be gradually increased as knowledge and expertness are acquired, until the female reaches an aptitude standard enabling her to perform the same services as males, when she will receive the male basic wage. It is obvious, the letter continued, that 'the sooner female employees establish their competency in comparison with male employees,' the sooner they will receive male wages.⁶⁸

The metal unions at Lithgow continued their opposition to women being employed in the plant for less than male rates. The Amalgamated Engineering Union (AEU), Australasian Society of Engineers and Munition Workers' branches resolved to:

resist any attempt to introduce female labour into the Small Arms Factory on the grounds that there is no provision for this class of labour in our Determination,

⁶⁷ CPD, Vol. 170, 6/3/42, pp. 209, 280-1, 291. See also, further statements by Ministers Makin and Cameron in CPD, 25/3/42, p. 372; 26/3/42, p. 435.

⁶⁸ Letter dated 10/3/42 from J.K. Jensen, Secretary, Ministry of Munitions, to Manager, Lithgow Small Arms Factory, Box E218/20, FIA Collection, NBAC.

but we are prepared to welcome female labour on terms of equality of wages and conditions.⁶⁹

At the same time, the AEU Commonwealth Council secretary, L. Wickham, informed the government that his union was opposed to any proposal to pay females by results, as indicated by press reports, saying it 'has successfully resisted in the past all systems of payment by results [and] will continue to resist in future.' It demanded that the government institute equal pay for the sexes.⁷⁰ The ACTU acting secretary, Clarey, had announced the government's intentions to the Melbourne Trades Hall Council. It had agreed 'to pay men's rates to women in all industries where they are employed in work usually done by men', and 60% of the male rate during training, he said. Also, to appoint a permanent Board to fix women's employment conditions and the necessary training period in each industry.⁷¹

On 18 March Munitions Minister Makin advised the Munition Workers' Federation of the War Cabinet's decisions regarding female employment in war industries, as conveyed at a conference with metal unions. The government, he stated:

accepts in principle the claim that where it was customary, before the war, for certain operations in industry to be carried out exclusively by male labour, that female labour employed upon such operations must be paid for at the rates prescribed by competent industrial tribunals for male labour.

The females would be expected 'to observe all the conditions of labour' as for males and to perform the whole of the operations prescribed for particular wage rates. If the Tribunal to be established (the Women's Employment Board) decides that female labour can fully perform the work normally done by men, then male wage rates shall be paid forthwith. But if it decides that the operations:

can be performed only by female labour after a period of training, or that through disability of sex, only part of the operations or the conditions of labour for males can be observed, the Tribunal will assess the percentage of male basic wage which may be allowed to the female employee. The rates of wages to be paid to females engaged to carry out operations formerly performed by males shall be a basic wage rate plus the full marginal rate.

⁶⁹ Report by Muriel Heagney to Federal Conference, Federated Clerks' Union of Australia, 16/3/42, CAEP Minute Book, Box 1166/1, Heagney Papers, SLV.

⁷⁰ *Ibid.*

⁷¹ *The Argus and SMH*, 13/3/42.

During a designated probationary period, the women would receive 60% of the male basic wage. Makin added that the foregoing applied only to semi-skilled and unskilled operations at present, with the objective being:

to bring the female labour in on the lower grades of duties, thus releasing the men for higher and wider duties ... in no circumstances is it intended that female labour will be used to displace men or be placed in charge of male employees.

Also, that the government is considering possible legislation 'to ensure that these arrangements shall terminate at the end of the war.'⁷²

On 25 March the government issued new women's employment regulations which established the Women's Employment Board (WEB) as a special tribunal empowered to fix the conditions and pay rates of female war workers.⁷³ Before the former regulations were repealed, UAP Opposition Senators had moved for their disallowance on the grounds of the government's interference with the Arbitration Court and its disregard of normal channels of properly constituted arbitration tribunals.⁷⁴ Their move foreshadowed the concerted attack waged by employers and conservative politicians over the next two years, against the legitimacy of the Board and its wage determinations. As Butlin and Schedvin put it, 'a systematic counter-offensive was launched using all available political and judicial means.'⁷⁵ A full account of the WEB's turbulent life is given in Chapter Five - from its establishment in March 1942 through to its dissolution in October 1944. The Board's functions and its major wage decisions covering the metal trades are now outlined, together with union movement responses to the Board and to problems concerning female wage rates generally.

⁷² Letter dated 18/3/42 from Norman J.O. Makin, Minister for Munitions, to General Secretary, Arms, Explosives and Munition Workers' Federation, Box E218/20, FIA Collection, NBAC.

⁷³ Statutory Rules 1942, No. 146, 25/3/42.

⁷⁴ CPD, Vol. 170, 26/3/42, pp. 438-44.

⁷⁵ Butlin and Schedvin, *op. cit.*, p. 557.

On its establishment in April 1942, the WEB comprised three permanent members appointed by Labour Minister Ward - Judge A.W. (Alfred) Foster of the Victorian County Court as Chairman and one representative each of employees and employers - plus two industry advisers to be appointed from time to time. Judge Foster remained on the Board throughout its existence, as did the ACTU's representative, A.R. (Alfred) Wallis, Clothing Trades Union general secretary and Imelda Ellen (Mel) Cashman, nominated by the Munitions Department as the employers' representative.⁷⁶ Following the Board's enlargement to five permanent members, D.R. Johnstone was appointed to represent private employers, Cashman represented the Commonwealth Government as an employer and A.R. (Albert) Henderson of the Electrical Trades Union was appointed as the ACTU's second representative. Thus, as reconstituted after October 1942, the Board comprised a Chairman, two representatives of employees, one of employers and one of the government (plus two non-voting advisers from particular industries, representing employers and employees). Decisions were to be made by majority vote, with the Chairman having a casting vote.⁷⁷

Under the original regulations, the WEB's jurisdiction was limited to females employed or to be employed on work for which a male wage rate existed under current awards, but no female rate. It was estimated that only about 4,000 females would come within that definition and amending regulations soon removed the limitation and significantly extended the Board's ambit.⁷⁸ Following the Senate's disallowance of enabling regulations on 23 September, 1942, the Board's powers were restored in October by the

⁷⁶ Cashman had been women's secretary of the Printing Trades Union for 18 years, before becoming a Commonwealth industrial inspector in 1940.

⁷⁷ Mollie Bayne, *Australian Women at War*, Melbourne: Research Group of the Left Book Club of Victoria, 1943, pp. 29, 32-3. When Johnstone resigned in November 1942, he was replaced by Arthur Upjohn, who was nominated by the NSW Hosiery and Knit Goods Manufacturers' Association.

⁷⁸ 'A Brief Account of the Activities of the Women's Employment Board', unsigned typescript dated 8/6/43 (probably written by Judge Foster), p. 1; and 'Information Requested by the Board of Economic Warfare [sic] on the Manpower Situation in Australia, undated and unsigned typescript (probably written by WEB Secretary, C.M. Toop), p. 5; Series 1, Folder 1, MS 805, Foster Papers, National Library of Australia [hereafter NLA].

Women's Employment Act embodying the regulations.⁷⁹ The Board's functions as stated in the Act, were to 'fix the remuneration, hours and conditions of employment of certain women employed in industry during the emergency created by the present war.'⁸⁰ As with all wartime regulations issued under the National Security Act, the regulations were applicable only for the duration of the war and six months after, at which date all the wage rates and conditions fixed by the Board would be invalid.⁸¹ The classes of females over whom the Board had jurisdiction were set out in Regulation 6(1):

Where an employer has, since the second day of March 1942, employed, is employing, or proposes to employ, females on work which is usually performed by males or work which was, prior to that employment of females, or is, performed by males in the establishment of that employer, or is work which, prior to that employment or proposed employment of females, was not being performed in Australia by any person, the employer shall ... make application to the Board for a decision in accordance with this regulation.⁸²

That is, it covered only those females employed, or proposed to be employed on three categories of work, since 2 March, 1942. Amending regulations issued in December 1942,⁸³ significantly altered this clause by bringing within the Board's jurisdiction, females employed on work done by males since the outbreak of the war. The regulation then stated that:

Where an employer is employing or proposes to employ females on work:
 (a) which is usually performed by males;
 (b) which was, during the period from the third day of September, 1939 to the date of the employment of, or proposal to employ, females, performed by males in the establishment of the employer; or
 (c) which was not, during that period, performed in Australia by any person ... [as above].⁸⁴

⁷⁹ Women's Employment Act No. 55 of 1942, adopted by House of Representatives, 1/10/42, CPD, Vol. 172, p. 1380. It was entitled 'An Act to encourage and regulate the employment of women for the purpose of aiding the prosecution of the present war'.

⁸⁰ Women's Employment Act (with Schedule as amended by Statutory Rules No. 548 of 1942 and 41 of 1943), Orwell Foenander, *Wartime Labour Developments in Australia*, Melbourne: Melbourne University Press, 1943, Appendix, pp. 167-74.

⁸¹ Alfred W. Foster, 'The Experience of the Women's Employment Board in Australia', *International Labour Review*, vol. 52, no. 6, December 1945, p. 637. As it transpired, the WEB's wage rates continued until June 1949, when the High Court ruled that the Women's Employment Regulations were no longer valid.

⁸² 'A Brief account of the Activities', *op. cit.*, p. 2.

⁸³ Statutory Rules 1942, No. 548, 23/12/42.

⁸⁴ Foenander, Appendix, *op. cit.*, p. 170.

The Board was to fix rates of payment it considered to be 'just and proper in all the circumstances', assessing those rates:

by reference to such factors as it thinks fit and in particular to the efficiency of females in the performance of the work and any other special factors which may be likely to affect the productivity of their work in relation to that of males.

The rate for adult females was to be not less than 60% nor more than 100% of the rate paid to adult males employed on substantially similar work. The Board could also decide whether females should not be employed at all in particular occupations, also whether there should be a probation period at a lower pay rate. Its decisions were enforceable as an award of the Commonwealth Arbitration Court; and no other body could make awards inconsistent with the Board's determinations.⁸⁵

The December amending regulations gave three other significant powers to the Board, which greatly widened its ambit and authority. These were: the power to extend a decision to other classifications of work in an establishment, which had not been included in an application; the 'common rule' power to extend the operation of any decision to employers other than those named in an application, who employed females on work of a substantially similar nature; and the power to make a decision on its own motion concerning any work which would come under the regulations.⁸⁶ The 'common rule' regulation was especially important, as before then separate applications were being lodged by employers covering one or a few female employees as well as several hundreds. Such multiple applications by single employers for various classifications were not only inefficient, but caused excessive delays in the Board's work.⁸⁷ The new powers enabled the Board to issue decisions affecting many thousands of women in industry.

⁸⁵ *Ibid.*; Bayne, *op. cit.*, p. 34.

⁸⁶ 'A Brief Account of the Activities...', *op. cit.*, p. 3; and Foenander, Appendix, Regulations 6C, 7A and 7B, p. 171.

⁸⁷ Judgement in WEB Metal Trades Decision, 29/1/43, 49 CAR Appendix 65.

Its most far-reaching 'common rule' determinations were those given in January 1943 for the munitions, aircraft and metal industries. The Metal Trades decision covered large numbers of women employed throughout the industry in NSW, Victoria, South Australia and the ACT. Adults were awarded 66.6% of the male rate during a one-month probation period and thereafter 90%, while juniors received the full junior male rate. The rates were made retrospective to 23 September, 1942 or the employment date, whichever was the later.⁸⁸ For the munitions industry, a decision given in July-August 1942 had covered workers employed in Government munition factories in Victoria on a range of machine operations and process work; they were awarded 90% of the male basic wage and margin, with 65% during a two-week probation period.⁸⁹ On 27 January, 1943 a 'common rule' decision applied the rates to munition establishments in all other States. And the next day, females employed in the aircraft industry were awarded similar rates, in a decision applicable to all Government and private aircraft manufacturing and maintenance establishments.⁹⁰

Thus, 90% of the male basic wage, plus the male margin for the particular classification, with 60-66.6% during probation, became the standard WEB rates throughout these three vital industries. The majority of women receiving these rates were classified as process workers on unskilled and semi-skilled jobs, although some worked in higher classifications such as power and hydraulic press operators, machinists second class, and cranedrivers. The standard 90% rate also applied to the vehicle building industry and a range of other men's jobs, including: railway porteresses, ticket checkers and guards; postwomen and postal mechanics; meter readers and testers; motor mechanics, garage labourers and parking attendants. The

⁸⁸ *Ibid.*, pp. 62-76. In the Board's first form, pay rates dated from 2 March or the employment date; after its reconstitution under the Act, it was given a discretion regarding retrospectivity, with the usual date being set at 23 September, the day the Senate disallowed the regulations - see Bayne, *op. cit.*, pp. 34-5.

⁸⁹ WEB Munitions Factories (Victoria) Decision, (repealing decision of 17/7/42), 48 CAR Appendix 182-89.

⁹⁰ WEB Munitions Factories Decision, 27/1/43, 49 CAR Appendix 52-7; Aircraft Decision, 28/1/43, 49 CAR Appendix 58-61. See also Memorandum dated 11/5/43 from C.M. Toop, WEB Secretary, to Director-General of Man Power (Melbourne Branch), Series 1, Folder 1, MS 805, Foster Papers, NLA.

Board fixed 85% for a diverse range of other occupations and 80% or 75% in a few cases. The full rate of 100%, usually fixed by consent agreement with employers, was awarded for the following occupations: tram conductresses, lift operators, chauffeurs, Federal Public Service clerks, legal clerks, mail and postal counter officers, postal clerks, telegraph messengers, machine telegraphists, broadcasting mechanics, factory timekeepers, some retail shop assistants, bar attendants, confectionery makers, hosiery makers (textile industry) and breadcarters.⁹¹ Although accurate figures were not recorded, it was estimated that between 70,000 and 80,000 women were affected by the WEB's determinations⁹² - about 9% of the total female workforce at its wartime peak. The great majority of these women worked in the metal and munitions industries and received the 90% rate.

Responses to the WEB within the union movement varied, depending on the rate granted to women in their industry and the resultant level of acceptance or discontent from both their female and male members. A distinction needs to be made between their responses to the Board itself, particularly regarding its operating parameters as specified in the regulations, as well as the employers' concerted attacks on its legitimacy; and to its decisions, which were mainly less than equal pay. On the first point, it is clear that the ACTU executive and key industry unions had a direct input into the drafting of the regulations via their meetings with Cabinet ministers in early March and subsequent submission of amendments through Labour Minister Ward.⁹³ Thus, the union movement was certainly aware, in advance, that the Board was not instructed to award equal pay to all women taking over men's jobs. (If that had been the government's intention, it could have decreed equal pay by regulation). Rather, it was to fix 'just and proper' rates, ranging from 60-100%, based on an assessment of the women's efficiency and other factors affecting their productivity as compared to men.

⁹¹ 'Information Requested by the Board ...', *op. cit.*, pp. 8-9.

⁹² 'Women's Employment Board', unsigned typescript notated D5166, n.d. (late 1944), p. 5; Box 1170/4(a), Heagney Papers, SLV.

⁹³ See discussion of amendments to the draft regulations in Minutes of ACTU Emergency Committee meetings, 17-18/3/42, 25/6/42 and Executive meeting, 30/4/42, Box D65, WU Archives.

Curtin later underlined that the Board's role was not to automatically grant equal pay: it 'is not an "equal pay" board; but it is equally not a "cheap labour" board,' he told Parliament. Its task is 'to measure the relative efficiency and productivity of female labour' and determine appropriate pay rates.⁹⁴

In their negotiations with the government, the union representatives pushed for the full male rate as well as the 60% minimum, but the whole Cabinet did not agree with their request for equal pay.⁹⁵ However, they undoubtedly felt confident that although the draft regulations allowed for rates less than 100%, the unions' combined strength could ensure the gaining of the full rate in the key war production industries. As it transpired, despite continual arguments for equal pay by metal unions in the hearings for their industries, the Board maintained its effective 10% penalisation of the women workers, on the grounds of their lower productivity than men due to their lesser physical strength, periodic disability and higher absenteeism rates.⁹⁶

In summary, the union movement pressured the government to resolve the threat to men's jobs and wage standards posed by the influx of low-paid women, and was closely involved in the process of drafting the regulations. Thus, the unions regarded the WEB as a joint union-Labor initiative, aimed at ensuring wage justice both for the women workers and for the men whose jobs they were temporarily occupying. And despite some later disillusionment with the Board's wage decisions, the union movement's view was that it must be defended against conservative attempts to destroy it and to restore the 'cheap labour' *status quo*. Further, it was recognised that the war effort must take priority and that the government's measures to facilitate women's employment in men's jobs were essential. As Curtin said in September 1942, unless the WEB was maintained, Australia's war effort 'will be gravely impeded' and the

⁹⁴ CPD, vol. 172, 29/9/42, pp. 1073-4.

⁹⁵ See Report of ACTU Interstate Executive to ACTU Congress, 21-25 June, 1943, p. 6, Box N63/51, FIA Collection, NBAC.

⁹⁶ The reactions of the major metal unions to the Board's decisions are discussed in Chapters Six and Seven.

necessary scale of female employment in war production industries 'will be rendered practically impossible.'⁹⁷

A summary of the WEB's activities up to mid-1943, probably written by Justice Foster, recounts several arguments advanced in opposition to the Board. The jurisdiction and awards of the Arbitration Court, which was the proper authority to deal with the fixation of women's wages, would be undermined; it was inequitable for a woman to be paid 90% of the male basic wage, which was designed to provide for a man, wife and two children; paying higher wages to women would cause undesirable effects on the national economy; and 'grave dissatisfaction and unrest' would occur among lower-paid women workers outside the Board's ambit. The wage disparity between women working in the metal trades 'inevitably resulted in discontent,' the writer stated. In many establishments those who had been employed before the war or were doing work not normally performed by males were paid 65% of the male rate under the Metal Trades Award, whereas the Board awarded 90% to 'newcomers'. He gave three reasons for organised labour's 'lukewarm appreciation' of the Board's work. Firstly, it is 'breaking down the sex occupational distinctions so hard fought for'; secondly, by allowing females to enter hundreds of occupations at less than male rates, 'a real danger exists that those occupations will be permanently lost to males'; and thirdly, it permits the introduction of females 'into *skilled* branches of various trades which have hitherto been the province of males.' Unionists have agitated for government action 'in order to secure male rates for all women in male classifications', and have lodged numerous applications to vary the Board's decisions, especially in the metal trades.⁹⁸ Denial of the full male rate 'led on many occasions to outspoken complaints from the unions.' However, the Board 'was not committed to a principle of "equal pay",' whereas in England, the USA and Canada 'women in men's work were being paid, after a training period, at the male rate for the job.'⁹⁹

⁹⁷ CPD, vol. 172, 29/9/42, p. 1069.

⁹⁸ 'A Brief Account of the Activities.....', *op. cit.*, pp. 5-7.

⁹⁹ *Ibid.*, p. 4.

The union movement's responses to the Board were generally favourable, albeit with disappointment about the relatively small number of women awarded the full male rate and agitation by some unions for stronger efforts towards gaining equal pay. A major consideration was the necessity to defend the Board and the government from conservative attacks. Delegates to the NSW Labor Council expressed this argument when debating a motion condemning the Senate's disallowance of the women's employment regulations in September 1942. This move, their resolution said, 'was inspired mainly by certain employers associated with the metal trades industries who have consistently opposed' the WEB's functioning. The Senate's decision:

was part of a general campaign to undermine the Labor Government and to interfere with its war plans and would have the effect of causing serious industrial disturbances. We demand on behalf of women workers, their right to equal pay for the same job and affirm our determination to achieve this.¹⁰⁰

Tom Wright of the Sheet Metal Workers Union believed that the Opposition 'had decided to kill the Board or amend its composition so it would be difficult to get high rates.' The Labor Council's immediate task was to strengthen the government's hand 'in a fight to maintain the WEB as at present constituted.'¹⁰¹ The Melbourne Trades Hall Council also expressed its grave concern at the Senate's action, which would 'provoke serious industrial trouble and prevent the achievement of a total war effort.'¹⁰² And the ACTU expressed similar views to the government.¹⁰³

In March 1943 the Senate disallowed the crucial 'common rule' regulations enabling the WEB to extend its decisions to all employers across a trade. The ACTU responded that this disallowance 'would create intense industrial unrest and greater disorganisation [of] industry and make [the] position of unions intolerable in furthering effort for maximum production and continuity of work.'¹⁰⁴ By that time, considerable unrest

¹⁰⁰ Minutes, NSW Labor Council meeting, 1/10/42, CY ML MSS 2074/24, Mitchell Library.

¹⁰¹ Edgar Ross, Authorised Report of NSW Labor Council meeting, 1/10/42.

¹⁰² Minutes, Melbourne Trades Hall Council meeting, 24/9/42, Box 1, 1/1/1/12, Melbourne Trades Hall Council Collection, University of Melbourne Archives.

¹⁰³ Minutes, ACTU Emergency Committee meeting, 26/9/42, Box D65, WU Archives.

¹⁰⁴ Circular from ACTU Secretary to Federal Unions, 18/3/43, Box E170/9/52, FIA Collection, NBAC.

was occurring in industry among women workers in men's jobs who were angry about employers' delays or refusal to pay retrospective rates awarded by the WEB, as well as among those still receiving female rates as pegged by government regulations of February 1942. In response to the growing problem of wage anomalies and pressure from unions for action to assist low-paid women, the ACTU Executive convened a conference of Federal unions.¹⁰⁵

Its resolutions reflected not only the union movement's concern that the WEB must be safeguarded against a campaign aimed at nullifying its decisions, but that the government should take action to raise the unfairly low wages of the majority of women workers. The conference called on the government to alter its National Security (Economic Organisation) Regulations, to permit wage rates 'for women engaged in normal women's industries to be adjusted to meet present day requirements of equal pay for the sexes.' It also supported the government's policy in establishing the WEB, which 'has facilitated the entry of women into new avenues of essential production while safeguarding trade union conditions.' The resolution condemned the obstruction by sections of employers and the Opposition, urging that:

all employers continuing to violate the provisions of the Act in regard to making application to the Board or failing to apply its decisions be named, prosecuted and severely penalised as they are guilty of what constitutes sabotage of the war effort.¹⁰⁶

Subsequently, the Prime Minister agreed to 'look into the question of anomalies respecting women workers in Government factories and see if something could be done to rectify the position.' However, he 'was not prepared to allow the WEB to deal with the wages of women in industry generally.'¹⁰⁷ In June 1943, the ACTU Congress resolution on the WEB stated:

Whilst not accepting the position of the Women's Employment Board as final satisfaction of the demand for equal pay and declaring that we will continue to

¹⁰⁵ *Ibid.*; Minutes, ACTU Executive meeting, 11/3/43, Box D65, WU Archives.

¹⁰⁶ Minutes, Conference of Federal Unions, Sydney Trades Hall, 26-27 March, 1943, Box N14/127, FIA Collection, NBAC.

¹⁰⁷ Minutes, ACTU Emergency Committee meeting, 17/4/43, Box D65, WU Archives.

press for full satisfaction of this demand, we express the view that the work of the WEB is a step towards equal pay in industry and is a big advance in female wage rates.

The government was requested to grant munitions, aircraft and supply contracts, 'only to those firms which, if employing females, are complying in full' with the Board's decisions; also to take all steps necessary to retain and strengthen the WEB and to maintain the validity of its decisions.¹⁰⁸

The wage disparities generated within the female workforce resulting from the Board's determinations, had become a pressing problem by early 1943. Discontent was particularly high among the large numbers of workers in low-paid traditional women's industries, whose wages had been pegged since February 1942 and who were mostly prevented from leaving their jobs by Manpower. Despite the restrictions, however, many women did leave their current occupations in favour of the higher WEB rates paid in male industries. As Hasluck says, 'the nurse could obtain more pay and shorter hours by leaving her hospital and becoming a factory hand.'¹⁰⁹ Girls and women coming into the workforce also sought alternatives to low-paid female jobs. Consequently, the Manpower authorities found great difficulty in meeting the demand for sufficient workers on war-related production in industries such as textiles, clothing, rubber and food-processing. The labour shortage in these areas became critical in 1943, after the arrival of the US forces in the Pacific had led to a shift in emphasis in industrial production - from munitions and other war-fighting materials to food, clothing, stores and provisions.¹¹⁰ Women were exhorted to fill the available jobs in these industries which were now vital to the war effort. But the low wages, arduous work and poor working conditions meant that many women resisted Manpower's efforts to place them into fruit canneries or clothing factories.

¹⁰⁸ Minutes, ACTU Congress, 21-25 June, 1943, pp. 5-6, Box N33/19, SMWU Collection, NBAC.

¹⁰⁹ Hasluck, vol. 2, *op. cit.*, p. 268.

¹¹⁰ Lynn Beaton, 'The importance of women's paid labour: Women at work in World War II', in Margaret Bevege, Margaret James and Carmel Shute (eds.), *Worth her Salt: Women at Work in Australia*, Sydney: Hale & Iremonger, 1982, p. 91.

The problem of wage anomalies mainly surfaced among two groups of women workers outside the WEB's jurisdiction: those trapped in low-paid female industries doing essential war work who demanded wage rises commensurate with the WEB rates; and those receiving the female rate in the metal and munitions industries who believed they were entitled to the WEB rates paid to others in the same plant. Many in the latter group had worked in the industry before the war and had far greater experience and skills than the newcomers being paid 90% after a few weeks on the job. In addition, private firms continued to employ women under the Metal Trades Award (MTA) female rate fixed by the Court in August 1942. These 'new' women generally worked in munition annexes doing identical work to others in the main factory who had replaced men. Their rate was £3/11/6, compared to the 90% WEB rate of £5/1/6.¹¹¹ Another reason for industrial unrest among large numbers of women was employers' resistance to paying the WEB rate plus retrospective pay. Most of the stop-work actions and strikes by women workers during 1942-43, resulted from their frustration at the lengthy delays in receiving the 90% rate and back pay.

Employer organisations invariably blamed the Board, and indirectly the government, for causing the anomalies by upsetting traditional principles of female wage-fixing followed by the Court. They pointed to their early warnings that establishment of a special tribunal would bring disastrous results. Behind their protestations lay their objection to paying the higher WEB rates, based on assessing the women's productivity and efficiency. Their opposition had much to do with long-term concerns about restoring the practice of female workers being paid a proportion of the basic wage which, of course, ensured a regular supply of cheap labour. (The views of the major employer organisations are further analysed in the next chapter). Mollie Bayne disputed the assertion that the WEB created the wage anomalies and thus, discontent among women workers. Rather, it was the Arbitration Court which:

¹¹¹ Bayne, *op. cit.*, p. 54.

created long ago the glaring anomaly of adopting the principle of paying inferior rates for superior work - the principle of female work paid at low rates in cases where women were particularly skilled and suited for it.

It is not unnatural, she said, that the WEB's introduction of the principle of assessing wages in terms of productivity, should show up the lack of that principle in common practice. The textile industry has:

the longest traditions of economic bondage because ... it is work peculiarly suitable to the ability of the average woman worker. It can hardly be said that the anomaly was here created by the Board; it is inherent in the situation and is brought out strongly as soon as productivity is considered.¹¹²

In early 1943, the Textile Workers' Union attempted to gain an increase in the female wage comparable to the WEB rates, on the basis of an existing anomaly.¹¹³ However, the Full Arbitration Court declared 'that it had no power to deal with anomalies' that had been created by the WEB.¹¹⁴ A two-week strike ensued, involving several thousand women workers throughout the NSW textile industry, which was strongly opposed by union officials and the Federal Government. The result was a small rise - from 54% to 60% of the male basic wage.¹¹⁵ The Munition Workers' Federation also claimed an existing anomaly as the basis for a claim for 90% for women workers on the female rate, doing identical work to others receiving the WEB rate. Conciliation Commissioner Mooney refused the claim, saying he was bound by the Court's ruling that a decision of the WEB 'did not, of itself, create an anomaly.'¹¹⁶ Thus, whilst employers and the UAP blamed the WEB for causing wage anomalies, the Court did not accept that this could be used to justify increases for other female workers.

By early 1943, Butlin and Schedvin say, it was generally accepted that the position of women's wages 'was totally unsatisfactory', but the government 'could find no way out of the tangle.' Labour Minister Ward bombarded the Full Cabinet with submissions,

¹¹² *Ibid.*, p. 53.

¹¹³ The National Security (Economic Organisation) Regulations of 10/2/42, allowed for *partial* wage adjustment to remove anomalies in the wage structure - see Butlin and Schedvin, *op. cit.*, p. 542.

¹¹⁴ *Ibid.*, p. 558.

¹¹⁵ Betty Reilly, 'A stitch in time ... experiences in the rag trade', *Australian Left Review*, no. 81, September 1982, pp. 7-9.

¹¹⁶ Bayne, *op. cit.*, p. 54; *The Argus*, 12/3/43, p. 3.

which boiled down to either an across-the-board increase in minimum female rates to at least 75% of the male rate; or to regulations permitting the Arbitration Court to adjust women's wages to remove existing anomalies. 'Uppermost in the minds of Curtin and Chifley at this time was the success of the price stabilisation plan,' which Ward's proposals would have endangered 'without heavy government subsidies, an equally unacceptable alternative.' By default, Cabinet opted to 'sit tight for the time being and accept the maze of female rates' as being unavoidable in wartime.¹¹⁷ In March, Ward put the alternatives to Cabinet: give the Court power to vary awards having in mind WEB decisions; apply the principle to all women in industry; or continue in 'present unsatisfactory conditions of protests, stoppages, absenteeism.' He contended that there was a basic contradiction between the Employment of Women Regulations and the Economic Organisation Regulations. In May, he presented draft regulations to free the courts from the restrictions imposed by these latter Regulations in respect to women's wages and a month later, again pressed for their amendment.¹¹⁸

In December, the discontent over low female wages was eased when Justice Drake-Brockman awarded 75% of the basic wage to women workers in the clothing and rubber industries. The primary reason for the clothing industry rise was to keep women in the industry and to attract others. The Judge said the increases were granted 'on the basis of wartime requirements and for that purpose will have to some extent to depart from the sound economic basis of wage fixation which has always guided the Court when making awards for this industry.' The decision highlighted the need to overcome similar difficulties in attracting sufficient labour being experienced by other vital industries. That is, 'by increasing wages in two parts of the "vital sector", pressure was

¹¹⁷ Butlin and Schedvin, *op. cit.*, pp. 557-8. See also, Cabinet Agendum 423, 11/1/43, Vol. 5, Series A2700; and Minutes, Full Cabinet Meeting, 16/1/43, Vol. 1[D], Series A2703, AA ACT. In this submission, Ward put two alternatives: grant the WEB full power to deal with women's employment in all industries; or free the Court from the wage-freezing restrictions imposed by the Economic Organisation Regulations and enable it to recognise the WEB rates as an anomaly.

¹¹⁸ Hasluck, vol. 2, *op. cit.*, p. 268. See also, Cabinet Agenda 458, 15/3/43, 490, 18/5/43 and 503, 21/6/43, Vol. 5, Series A2700; and Minutes, Full Cabinet Meetings, 15/3/43, 18/5/43 and 21/6/43, Vol. 1[D], Series A2703, AA ACT.

merely transferred to other parts.’¹¹⁹ It was a further eighteen months before the government took action to alleviate the pressing demand for wage justice for low-paid women and the labour shortage in essential industries. But it was not until two weeks after the end of the war with Japan, before women’s wages in twelve industries declared ‘vital’ were finally increased to 75% of the male rate.

In July 1944 the government issued regulations¹²⁰ authorising a reference to the Arbitration Court to determine whether minimum pay rates for females employed in industries declared vital, are ‘unreasonably low’ in comparison with the minimum rates for females employed in other essential war-production industries. And if so, ‘whether it is in the national interest, and fair and just, to increase the minimum rates of pay.’ In determining the rate to be paid above the present awards for those industries, the Court was not to be bound by the Economic Organisation Regulations.¹²¹ By then, the government realised that female rates in the ‘vital’ industries had to be increased to 75%; however, the ACTU secretary reported, Cabinet was extremely concerned about the high costs involved in subsidies to employers for the wage increases.¹²² It was already committed to meeting a subsidy of £2 million, resulting from the award rise to 75% for females in the clothing industry, and a similar increase in textile workers’ rates would involve a subsidy of at least £3 million.¹²³

¹¹⁹ Butlin and Schedvin, *op. cit.*, pp. 559-60.

¹²⁰ National Security (Female Minimum Rates) Regulations, Statutory Rules No. 108, 19/7/44.

¹²¹ Letter from ACTU Secretary, A.E. Monk to Federal Unions attaching copy of regulations and list of ‘vital’ industries, 28/7/44, Box E170/9/76, FIA Collection, NBAC. (Twelve industries were declared to be vital: woollen and worsted textile; cotton textile; knitting and hosiery; fruit and vegetable preserving, pickle and jam making, fruit juices and cordials preparation; meat preserving; milk processing, butter, cheese and margarine making; egg processing and packing; boot and shoe making; munitions; aircraft manufacturing and assembling; motor body, coach or carriage building; occupations in hospitals, asylums and like institutions).

¹²² *Ibid.*

¹²³ Letter from ACTU Secretary, A.E. Monk to the Metal Trades Federation, contained in letter from the MTF to the FIA, 12/5/44, Box E170/9/76, FIA Collection, NBAC; see also Walker, *op. cit.*, p. 306; and Penny Ryan and Tim Rowse, ‘Women, Arbitration and the Family’, in Ann Curthoys, Susan Eade and Peter Spearritt (eds.), *Women at Work*, Canberra: Australian Society for the Study of Labour History, 1975 (special issue of *Labour History*, no. 29, November 1975), p. 25.

In the event, the government's attempt to have the female rates increased, failed. The majority finding of the Court in May 1945 was that minimum rates were not unreasonably low. This decision reflected 'resentment at what was believed to be an improper use of the Court's function, and also rejection of the implied new scale for women's wages.'¹²⁴ Finally, at the end of August, the government issued regulations increasing female rates in the twelve 'vital' industries to 75% of the corresponding male minimum.¹²⁵ Employers' organisations unsuccessfully challenged the validity of the regulations in the High Court, which found them to be a valid exercise of the government's wartime powers under the National Security Act.¹²⁶

At the end of the war, women's wage rates and male-female wage relativities were in a chaotic state, compared to the pre-war situation. Those women remaining in men's jobs were being paid the WEB rates, usually 90% of the male rate plus male margins; those in the twelve 'vital' industries were receiving 75% of the male minimum as a temporary measure; the award wages of women clothing and rubber workers had been permanently increased to 75%; while the majority of the female workforce remained on 54-60%. (Despite wage-freezing, pay rates had crept up through bonuses and other above-award payments.¹²⁷) At December 1945, the average weekly female wage was about 59.8% of the male rate.¹²⁸ Finally, in the 1949-50 Basic Wage Inquiry, the Court fixed the first female basic wage at 75% of the male minimum.¹²⁹

¹²⁴ Butlin and Schedvin, *op. cit.*, pp. 560-1. Judges Piper, O'Mara and Kelly were in the majority, with Judges Drake-Brockman and A.W. Foster dissenting. Foster had been appointed to the Arbitration Court in October 1944 following dissolution of the Women's Employment Board - *SMH*, 5/5/45, p. 3; Ryan and Rowse, *op. cit.*, p. 27.

¹²⁵ Butlin and Schedvin, *op. cit.*, p. 561, citing National Security (Female Minimum Rates) Regulations, Statutory Rules No. 139, 30/8/45.

¹²⁶ Thelma Hunter, 'Industrial Courts and Women's Wages in Australia', *The Economic Record*, vol. 38, no. 84, December 1962, pp. 441-2; Minutes, ACTU Executive meetings, 18/9/45 and 9/10/45, Box D65, WU Archives.

¹²⁷ Jack Hutson, *Six Wage Concepts*, Sydney: Amalgamated Engineering Union, 1971, p. 116; Hunter, *op. cit.*, p. 442.

¹²⁸ Butlin and Schedvin, *op. cit.*, p. 561. Tom Sheridan puts the figure at 61% - see *Division of Labour: Industrial Relations in the Chifley Years 1945-1949*, Melbourne: Oxford University Press, 1989, p. 15.

¹²⁹ Hunter, *op. cit.*, p. 442.

Conclusion:

The unique wage-fixing processes instituted by the Curtin Government for women employed in men's jobs, contributed to equal pay being shelved for the duration of the war. The WEB was, however, only one part of a complex of political, economic and social factors that prevented its attainment. Equal pay was intimately connected with the entrenched demarcation of men's and women's work, as well as the wage structure of the male family wage with a lower female percentage. Any concession to equal pay on the social principle that women had a right to receive the same return for their labour as men, would not only threaten a permanent shift in the sexual division of labour, but also a radical shake-up in the method of determining the wages of both sexes. Through the WEB, the government sought to steer a middle path between a range of conflicting pressures in an endeavour to placate them all. Its wage-fixing method, based on assessing the women workers' comparable efficiency and productivity, was a radical departure from the traditional basis of the arbitration system. But as Curtin made clear, it was not an equal pay board; its task was to find an acceptable level somewhere between equality and exploitation.

The attitudes of male union leaders and Labor Ministers towards the extension of female employment into male work provinces, were inevitably conditioned by the prevailing ideology and customs concerning the respective roles of the sexes. Women were expected to be in the paid workforce for only a short period before becoming fulltime housewives and mothers. The sexual division of labour in the workforce and the wider society was widely accepted as natural, as was the view that men were entitled to receive a family wage sufficient to support a wife and children. In that social context, women's shift from their 'normal' occupations into men's jobs would have been inconceivable before the war. It occurred only because the severe manpower shortage made their labour essential. Because there was no alternative, women were allowed to do men's work for the duration under carefully controlled

conditions; they were tolerated, rather than welcomed and above all, they had to leave when the men returned.

The responses of both the union movement and the government to women undertaking men's jobs were essentially pragmatic, rather than principled. For the most part, union leaders covering male industries initially resisted female intrusion into their domains before conceding to the inevitable. Their overriding concern was that these women workers must receive the same pay as the men whose jobs they were temporarily occupying, as a safeguard against employers attempting to break down male wage rates and conditions. The union movement exerted considerable pressure on the Labor government to regulate for equal pay for women employed in men's jobs in war industries; however, they were only partially successful, in that the government chose instead to establish a special tribunal, with the power to award an appropriate rate *up to* 100%. That is, 'equal pay for equal work' would be given where warranted, provided it was proven that the women were fully carrying out the job as well as men and that they were attaining equal productivity levels.

The new Labor government acted quickly to pave the way for women's extensive employment in war production; however, differences clearly existed within the Ministry over their wage rates. The left-wing Labour Minister, Eddie Ward, was the strongest advocate for the union movement's position on equal pay, but he had limited influence on the Prime Minister and other senior ministers;¹³⁰ on the other hand, the influential Minister for War Organisation of Industry, John Dedman,¹³¹ had made clear his opposition to women being paid male rates. His arguments, based on the unacceptably high costs involved and likely adverse inflationary effects on the economy, undoubtedly had a cautionary influence on Curtin and Chifley. The government was strongly pressured by employer organisations who were adamantly

¹³⁰ In the second Curtin Ministry following the September 1943 elections, Ward was relegated from his former position to the relatively junior portfolios of Transport and External Affairs.

¹³¹ Dedman was a member of the eight-man War Cabinet from December 1941 until the war's end.

opposed to higher female wages and to the transfer of wage-fixing authority from the Arbitration Court to what they regarded as virtually an illegitimate and amateur tribunal. In the face of their deep hostility to the WEB and its wage decisions, it is to the government's credit that it remained committed to its course of action, particularly as it lacked a Senate majority until the 1943 elections.

Apparently, the government was prepared to wear the opposition expected from the employers to any solution involving wage rises. But it could not have risked the industrial turmoil that would certainly have flowed from the union movement, if women in men's jobs had been allowed to work for the normal low female rates. On the other hand, the option of regulating for equal pay for women employed on men's work throughout the war, would have had unacceptably high economic and political repercussions. As the largest employer of female labour, including the tens of thousands working in munition plants, the government would have faced an enormous increase in direct wages, plus in indirect subsidies to employers whose wages costs were covered under the 'cost plus' contract system. And politically, it would have been very difficult for the government to justify the granting of equal pay to only one section of women workers, when far larger numbers were also carrying out essential war work for much lower pay. Above all, the payment of male rates was universally regarded as only a temporary need for the duration of the war. Setting up a special tribunal with the power to award rates between 60% and 100%, was regarded as the best way out of a difficult dilemma.

CHAPTER FIVE

MAINTAINING the TRADITIONAL GENDER ORDER: the CONSERVATIVE CAMPAIGN AGAINST MALE PAY RATES for WOMEN WORKERS

This chapter examines the concerted campaign waged by conservative forces against the payment of male wage rates to women and especially, against the Women's Employment Board. Spearheaded by the major employer organisations, it has been described as a 'systematic counter-offensive' using 'all available political and judicial means.'¹ Whilst employers' resistance to paying higher female wages in the short-term was certainly an important motivation for the campaign, a major driving force was their opposition to the transfer of wage-fixing responsibility from the Commonwealth Arbitration Court. The basis of their hostility to the WEB lay in their determination to restore the Court's traditional practice of fixing female rates as a percentage of the needs basic wage. Raising women's wages on the basis of assessing their comparable efficiency and productivity, threatened to jeopardise post-war continuation of the 'family wage' system which ensured cheap female labour.

The first indication of the employers' attitude came several weeks before gazettal of the regulations establishing the WEB. On 7 March 1942, Latham Withall, Director of the Associated Chambers of Manufactures (ACM), informed the Prime Minister of its concern about the ACTU's representations for regulations granting male pay rates to women engaged in war industries. While conceding that female workers could receive the male margin for the particular job, he said that the male basic wage should not be

¹ S.J. Butlin and C.B. Schedvin, *War Economy 1942-1945*, Canberra: Australian War Memorial, 1977, p. 557.

granted because it 'is fixed on the basis of a family unit, i.e., the maintenance of dependants.' He warned of the 'many grave repercussions' that would follow if women were to receive the full male rate: it would increase women's power to purchase consumer goods, cause 'very great dissatisfaction and unrest' among women workers already employed in wartime industries, increase the cost of the nation's supplies to the government, taxpayers and consumers, and interfere with the principle of the family wage. He urged the government to allow the Arbitration Court to settle the question of female pay rates.²

Withall also requested UAP Coalition MPs to raise the issue in Parliament, 'with a view to persuading the government to hand the job back to the Arbitration Court.' Employers 'are wholly opposed to the setting up of the proposed new Board,' he told them. The Court 'is the proper body to decide this and all other matters relating to wages and conditions of employment,' and there is no valid reason why the task of fixing women's pay rates 'should be taken out of the hands of the efficient and experienced tribunal established for this very purpose.'³ The Metal Trades Employers' Association (MTEA) also declared its opposition to the new tribunal, saying that the proposal 'bears at first blush a suspicion of political motive':

Any underlying practical purpose is not apparent because existing tribunals already occupy the whole field. What can the proposed tribunal do more than is already adequately accomplished by the existing arbitration machinery? ... If awards made by the Courts are to be superseded by those of the proposed new tribunal, confusion and unrest must follow. It will be the substitution of experimental tribunals for regularly constituted authorities.⁴

On 25 March, the day the regulations establishing the WEB were gazetted, the major employer organisations were invited to nominate a representative on the Board.

² *Metal Trades Journal* [journal of the Metal Trades Employers' Association, hereafter *MTJ*], 16/3/42, p. 85. See also, C.R. Hall, *The Manufacturers: Australian Manufacturing Achievements to 1960*, Sydney: Angus & Robertson, 1971, p. 647.

³ Letters from L. Withall, Director, Associated Chambers of Manufactures [hereafter ACM], 23/3/42, Box 186, D14/7/16(1), Chamber of Manufactures of NSW Collection, University of Wollongong Archives [hereafter NCM Collection, WU Archives]; and *The Manufacturers' Bulletin* [journal of the NSW Chamber of Manufactures], 1/4/42, p. 1.

⁴ *MTJ*, 16/3/42, p. 77.

Instead, on 11 April, the ACM requested the Prime Minister to further consider the desirability of creating the new Board, as it is 'not in accordance with the principle of maintaining the Arbitration Court system as the sole adjudicator on such matters.' Its grounds for this request included: that 'considerable confusion' may arise from having the Board dealing only with wage rates and the Court with conditions of female employment; that because the Board would lack the Court's experience, anomalous and unsatisfactory decisions may be made; and that industries to be chiefly affected are already covered by the Metal Trades Award. The ACM also advised the Department of Labour secretary that it would not be nominating a representative.⁵ At the same time, three other national employer bodies did nominate a representative, D.R. Johnstone, secretary of the Boot and Shoe Manufacturers' Association.⁶ However, they also advised their objection to the Board's constitution, as its operation and jurisdiction 'will conflict and usurp' the Court's functions. They asked the government to reconsider, 'before any irrevocable departure from the existing industrial arbitration system is implemented.'⁷

Relations between employers and the government over the WEB sharply deteriorated, following the swift response to the employers' letters by the Minister for Labour and National Service, E.J. Ward. Bypassing Johnstone's nomination, he appointed a former trade union official, Ellen (Mel) Cashman, as the employer representative on the Board.⁸ Predictably, employers' organisations regarded this move as a deliberate provocation. 'If Mr. Ward desired to render this Board suspect from its very inception he could have taken no more effective action,' said the NSW Employers' Federation president; while the NSW Chamber of Manufactures' president described the

⁵ Letters from ACM to Prime Minister Curtin and to Dr. Roland Wilson, 11/4/42, Box 186, D14/7/16/1, NCM Collection, WU Archives. See also, *The Manufacturers' Bulletin*, 1/5/42, p. 1.

⁶ The bodies nominating Johnstone were the Associated Chambers of Commerce, the Central Council of Employers and the Graziers' Federal Council.

⁷ Letters from Associated Chambers of Commerce of Australia to Dr. Roland Wilson, 11/4/42 and to Prime Minister Curtin, 13/4/42, Box 186, D14/7/16/1, NCM Collection, WU Archives.

⁸ Cashman was nominated by the Department of Munitions. Before becoming a Departmental industrial inspector in 1940, she had been secretary of the women's section of the Printing Industry Employees' Union for 18 years.

appointment as 'a straw which shows how the wind is blowing.' The move was typical of Mr. Ward's antics 'in his pursuit of reckless and irresponsible tactics which are fast disrupting war-time industry,' the ACM director, Withall, said. 'It is impossible to escape the conclusion that the whole set-up of the board is purely political-partisan in character.' Ward responded that some employers' organisations 'had attempted to kill the scheme to appoint the Board by refusing to nominate a representative to it.' After a protracted delay a nomination had been submitted, but he regarded Miss Cashman as a better choice than this last-minute nomination 'made in grudging critical terms.'⁹ In turn, the Central Council of Employers which had nominated Johnstone, protested to the Prime Minister that Ellen Cashman 'cannot be seriously regarded as representing employers' interests.'¹⁰

During a Parliamentary debate in May centred on the WEB's legitimacy and purpose, the UAP Opposition seized on Cashman's appointment as a main line of attack on the credibility of the government and the Board. In moving for disallowance of the regulations establishing the WEB,¹¹ the Opposition Senate Leader, McLeay, claimed there is 'ample evidence of partisanship, political bias and party politics of the lowest order.' The Board's personnel shows that it is 'a political set-up' to satisfy the trade union movement: the chairman, Judge A.W. Foster, unsuccessfully stood as a Labor Party election candidate in 1917, A.R. Wallis is a union secretary, while Ellen Cashman is a former union organiser. The government:

must abandon its policy of appeasement towards extremists in the labour movement ... [which] is doing more damage to our war effort than anything else ... We object to a political board consisting of three inexperienced persons to do this important work ... the employer cannot expect to receive a fair deal, and there will not be harmony in the industry.¹²

Senator McBride said the government 'has not had the courage to come out in the open,' by straight-forward regulations to decide the matter of women's wages, 'but has

⁹ *Sydney Morning Herald* [hereafter *SMH*], 18/4/42, p. 13 and 20/4/42, p. 7.

¹⁰ Hall, *op. cit.*, pp. 649-50.

¹¹ National Security (Employment of Women) Regulations, under Statutory Rules of 1942, No. 146, 25/3/42.

¹² *Commonwealth Parliamentary Debates* [hereafter *CPD*], vol. 170, 13/5/42, pp. 1079-81.

attempted to achieve its object by setting up a special board.' The WEB 'will be completely biased and weighted against the employers. Its decisions will not be just, but will be influenced by party political considerations.'¹³ As well as assertions about political bias and condemnation of Ward's rejection of the employers' nominee, the Opposition's arguments centred on the overriding of the Arbitration Court as the properly constituted authority to deal with women's wages and employment conditions. The government's responses concentrated on the necessity for a special tribunal to ensure that the women war workers would receive wage justice, as the Court's processes were far too cumbersome and time-consuming to be able to handle the multitude of award applications necessary to protect them. The disallowance motion was defeated by one vote when a Country Party senator, E.B. Johnston, voted with the government on the grounds that the regulations would aid the war effort.¹⁴

The Senate vote was a curtain-raiser for the major debate in the House of Representatives, when R.G. Menzies' motion for disallowance of the Women's Employment Regulations was defeated by 30 votes to 25. Many of the arguments already aired were again advanced by both sides; however, the divergent views were more sharply brought out and broader issues concerning female employment were also encompassed, including the basis of the wage-fixation system and how equal pay could be reconciled with the 'family wage' concept. Several of the speakers declared their qualified support for the principle that women doing equal work should receive equal pay. The Opposition's main arguments again centred on political bias in the Board's composition and on maintaining the Arbitration Court as the sole authority for women's employment conditions and pay rates.

Menzies objected to the stipulation in the regulations that the Board was to assess the female workers' efficiency and productivity, but was not required to take into account their family obligations when determining the appropriate percentage of the male rate.

¹³ *Ibid.*, pp. 1083-4.

¹⁴ *Ibid.*, pp. 1098-9, 1104.

For many years, he said, the basic wage has been determined on a family or social principle, and this 'settled practice' of the Court should be considered by all wage-fixing tribunals. The Board's power to fix women's wages from 60-100% alters the rates prescribed in most current awards providing for females to be paid 54% of the male wage. The Board's decisions will operate 'irrespective of the fact that they may be utterly inconsistent' with the Court's decisions; thus, it has been given 'an overriding authority' in relation to women's employment. In decrying Ward's appointment of Ellen Cashman to represent employers, he said the Board's composition 'is not only the most impudent, it is also essentially the most unjust, thing that has ever been done' in Australia's industrial history. 'If we are to have industrial satisfaction in this country, not only the employees, but also the employers, must believe that they are being given a fair deal.'¹⁵

The former UAP Minister for Labour, H.E. Holt, had three main objections to the WEB. Firstly, it is 'a rival tribunal' to the Arbitration Court. The Opposition and the employers fear that its establishment will not only weaken the Court's authority, but will also cause confusion, since both courts will be dealing with the problem of women's employment in their respective spheres. He also objected to the government arbitrarily fixing the minimum rate for women war workers at 6% higher than the prevailing 54% rate, which has been maintained in awards since 1928. His third objection centred on the Board's personnel, particularly on A.R. Wallis, Clothing Trades Union general secretary, who 'has taken probably a more prominent part than any other trade unionist in the advocacy of equal pay for the sexes.' Holt concluded:

The essence of any judicial tribunal must be that the parties which come before it can expect an impartial inquiry and a fair decision. I am not prepared to say that that will not be so with this board, but it starts off with a tremendous handicap because the atmosphere is such that the tribunal cannot be expected to have the complete confidence and trust of the employers ... I say that their suspicion of this tribunal caused by their belief that it is loaded against them, will be such that it will serve to defeat the purpose of the Government in having female labour engaged in industry.¹⁶

¹⁵ *Ibid.*, vol. 171, 20/5/42, pp. 1432-6.

¹⁶ *Ibid.*, 21/5/42, pp. 1470-3.

In a debate marked by allegations, heated interjections and exchanges about previous politically motivated judicial appointments, perhaps the most extreme assertion came from J. Francis (UAP, Moreton), that if the statutory rule is not disallowed, arbitration in Australia will be doomed. 'The Government seeks mercilessly to dive-bomb arbitration out of existence, and to substitute political fixation of wages and other industrial conditions by a partisan board.' In summarising the Opposition's case, W.J. Hutchinson (UAP, Deakin) said the main principle is whether the Court should be the arbiter of pay rates for workers in industry. 'If industrial affairs are to be dragged into the political arena, justice will disappear and chaos will result ... Our social and economic structure may be changed adversely,' if the Court's wages decisions are to be overridden.¹⁷

Labour Minister Ward maintained that because of the 'interminable delays' that occur in the Court, it was necessary to set up a special tribunal to deal with a special problem. On assuming office, the government conferred with the trade union movement about the introduction of women into sections of industry where they had not previously been employed. Naturally, he said, the unions 'would not have co-operated unless they had been given certain guarantees, and in consequence the best results could not have been achieved.' One of the matters troubling them was that:

many captains of industry were anxious to secure the engagement of larger numbers of women for the simple reason that they regarded female labour as a reservoir from which they might draw cheap labour; they wanted the women, if they could secure their services at what are termed women's rates.

The government's aim is to obtain greater production 'but not by allowing the employers to exploit the situation by displacing males with female labour simply because it can be obtained at a cheaper rate.' The proposition is not that the women's pay shall be equal in all circumstances, Ward went on, but where it can be shown that a woman's efficiency and productive capacity equals that of a man, 'she shall receive the same rate of pay as the man whom she displaces.' If the Opposition renders the

¹⁷ *Ibid.*, pp. 1479-80, 1487.

tribunal ineffective, the large trade unions would, to some extent, immediately withdraw their approval of the entry of large numbers of women into industry, thus creating delay and hindering munitions production.¹⁸

Another Labor speaker, J.S. Rosevear, contended that the WEB's establishment 'is not an attack upon the arbitration system, but is supplementary to it.' It does not impinge at all upon the Court's work and judgements, rather:

it provides for the making of awards in industries in which female labour has not previously been employed, and for which, consequently, no female standard wage has been fixed by the Court.

He commended the trade unions for their 'sacrifice of principle' in opening the gates to permit women to enter industry from which they had previously been excluded. Women have now been introduced into heavy industries 'through channels that were previously undreamt of' by the union movement, which 'has yielded a very important principle in acceding to this dilution of labour by females.' Their willingness to make this concession because of the dire necessity imposed by war, should not be exploited by the payment of low wages in order to increase profits.¹⁹

The Social Services Minister, E.J. Holloway, revealed his own attitudes and those of unions towards female employment in male industries and their insistence upon equal pay. The reason why men are hostile to the introduction of women into new branches of industries needs to be examined historically, he said:

If we were to permit unrestricted competition and the employment of women and children under sweated conditions, the workers would return to the gutter ... A line of demarcation had to be drawn, and some years ago, it became generally agreed in Australia that women should not be employed in certain classes of work ... it became the custom that certain industries should be preserved to [sic] males only.

But because sufficient men can no longer be obtained for essential industries, women have to be brought in to perform work which they were not previously allowed to perform. This change:

¹⁸ *Ibid.*, 20/5/42, pp. 1437-9, 1442.

¹⁹ *Ibid.*, 21/5/42, pp. 1465-6, 1469.

has not been made because the government wants to break down the line of demarcation between grades of male and female labour. If I had my way, I should not allow women to work in metal trades ... We have always tried to keep women out of such work, but the necessities of the war demand that we modify our attitude for the time being.

Holloway also said that it was fair for women to receive male pay rates if they did the job as efficiently as men, and it was also necessary to protect male wage standards in male industries. He pointed out that the Arbitration Court 'has never made an award fixing equal rates of pay for the sexes for similar work. It has only gone as far as to make awards fixing rates of pay for certain classes of work which may not be varied' irrespective of which sex performed it, such as in the boot and clothing trades. The Court 'has never stipulated that the male rate of pay shall in a general way over an industry be paid to females performing similar work,' he reiterated. This has to be done now and that is why the government has created the WEB. The Court is overloaded with work and it would take far too long for it to review all the awards covering the classes of work affected.²⁰

During the debate, the Opposition accused Ministers of not putting into practice the principle of equal pay for the sexes which they had previously espoused in line with Labor Party policy. Thus, they had opted for a Board to determine an appropriate percentage of the male rate for women, rather than straight-out regulations enacting equal pay. Holt drew attention to a motion on the notice-paper from the Munitions Minister, Norman Makin, which stated:

That in the opinion of this House discrimination by reason of difference of sex between workers is economically indefensible and is inconsistent with the Australian principle of equality, and that, consequently, the Government should forthwith apply this principle in all civil and defence departments by according equal wages, salaries and allowances to men and women employed on work of the same class.²¹

This motion, which Makin had placed on notice when in Opposition, was withdrawn in September 1942.²²

²⁰ *Ibid.*, pp. 1474-6.

²¹ *Ibid.*, p. 1469.

²² *Ibid.*, vol. 172, 24/9/42, p. 855.

At the conclusion of the debate, Menzies requested the Prime Minister to consider having five members on the Board, including at least one woman. Two days later, the regulations were amended to incorporate his suggestion.²³ On 11 June, Ward appointed Judge Alfred Foster as chairman, with Alfred R. Wallis and Albert W. Henderson representing the ACTU, Ellen Cashman representing the Commonwealth as an employer, and David H. Johnstone, private employers. The ACM had again been invited to nominate a representative,²⁴ but they again declined to do so. The NSW Chamber of Manufactures opposed the nomination on two grounds: their strong objection 'to any tribunal set up to override the Commonwealth Arbitration Court'; and that it 'could only be regarded as a partial political tribunal, empowered to carry out functions which should only be delegated to impartial judicial tribunals.'²⁵ The Victorian Chamber's resolution likewise reflected their adherence to the Court: 'If a study of the regulations pertaining to the employment of women shows that it is intended to detract from Judge O'Mara in jurisdiction, we should maintain our objection and refuse to nominate.'²⁶

The Board issued its first three judgements in July 1942, covering women employed by Australian Paper Manufacturers (APM) in Victoria, another Melbourne company, and the Ministry of Munitions. The latter case was the most significant of the three, as its award of 90% of the male rate for female munition workers set the precedent for later awards throughout the metal and aircraft industries.²⁷ The employers' representative, D.H. Johnstone, issued his own dissenting judgements in the other two cases, opting for an award of 60% of the male rate, i.e. the lowest rate the Board was allowed to set. In its APM judgement, the Board fixed 85% following an eight-week probation period at

²³ *SMH*, 23/5/42, p. 8.

²⁴ Letter from Roland Wilson, Secretary, Department of Labour and National Service, to ACM, 23/5/42, Box 186, D14/7/16(1), NCM Collection, WU Archives.

²⁵ Letter from C.R. Hall, Secretary, NSW Chamber of Manufactures to L. Withall, Director, ACM, 27/5/42, Box 186, D14/7/16(1), NCM Collection, WU Archives.

²⁶ Minutes, Victorian Chamber of Manufactures Council Meeting, 26/5/42, Box 1, 1/1/14, Chamber of Manufactures of Victoria Collection, University of Melbourne Archives [hereafter VCM Collection, MU Archives]. Judge O'Mara of the Commonwealth Arbitration Court had responsibility for the metal industry and the Metal Trades Award.

²⁷ The government munition factories judgement is discussed in Chapter Six.

60-70%, with 100% for some employees in the waste-paper section. During the hearings, APM had stated that 'where the evidence shows that the women or girls are producing approximately a man's results, the Company is prepared to pay a man's rate of wage.' The union's contention, in effect, was 'that the same wage be paid to persons of either sex performing the same work or producing the same return of profit or value to their employer.' Johnstone said that APM and the union had reached agreement beforehand to pay rates 'far in excess of those ruling for female labour.' He strongly disagreed with the serious effect that this agreement could have, because:

if we have unskilled and sheltered industries agreeing to more favourable wages and conditions of employment, we are up against the problem of how are the skilled industries going to attract and retain their skilled labour, especially as in this matter where we have women and girls receiving £5.1s. to £5.8s. per week whilst in a number of our skilled occupations we have females after four or more years of training receiving under their respective awards £3.0.9d. to £3.8.6d. per week ... The discontent and dissatisfaction of the skilled female at the wage discrimination is so obvious that unless some special inducement is given to the skilled employee we will have the anomalous and tragic position that it pays to be in an unskilled occupation.²⁸

Johnstone then made clear his belief that a 'fair and reasonable wage' for females was around 54% of the male needs basic wage, as per the custom long followed by Commonwealth and State Courts. 'This lower basis for the assessment of female rates of pay ... is based not upon the actual work carried out by the individual employee, but upon the living needs and family responsibilities of the individual concerned.' The question of 'equal pay for equal work' which arises in this case, he went on, was determined in 1940 by the NSW Industrial Commission, which held 'that the present was not the time to contemplate the introduction of so deep-rooted and complete a change in the existing system of wage fixation as that sought.' Johnstone considered that the female living wage plus margins and loading was the proper wage that should be fixed in the APM case, but because the regulations prevented that he settled on 60% of the male rate.²⁹

²⁸ *MTJ*, 1/8/42, p. 213.

²⁹ *Ibid.*, pp. 213-4.

As we have seen, employers' organisations and conservative MPs directed a great deal of pressure against the WEB during the first few months of its existence; but this was only 'stage setting' for the main action that ensued from 23 September 1942. Three significant events occurred on that day: the Board issued its first comprehensive ruling for the metal trades, awarding 90% of the male rate to approximately 3,000 women employed by 18 firms³⁰; the Opposition succeeded in its efforts to have the Senate disallow the WEB's governing regulations; and the Victorian Chamber of Manufactures and Hecla Electrics Pty. Ltd. instituted action in the High Court to test the validity of the WEB's establishment. These legal proceedings were discontinued, however, following the Senate disallowance and subsequent Parliamentary adoption of an Act embodying the Women's Employment Regulations.³¹

The motion for disallowance of the regulations, moved by Senator McLeay, was carried by 17 votes to 16. Unlike the UAP's previous attempt in May which failed when one senator was absent and Senator Johnston (Country Party, WA) voted with the government, the motion succeeded this time because all members were present and Johnston had recently died.³² Although many of the same arguments were again voiced, the Opposition was clearly more confident and aggressive in its attacks on the WEB. McLeay objected that this 'inexperienced, unqualified political board has power to override State and Federal arbitration courts and even State laws.' After detailing a series of anomalies and arbitrary distinctions emanating from the Board, he said that if it were allowed to continue, it 'will create chaos, disorder and discontent' amongst female employees:

Industry is faced with two tribunals fixing female rates on a different formula. This is highly unsatisfactory as between industry and industry, workshop and workshop, but when the wages of employees under the same roof are assessed by both tribunals with a different result it is an industrial absurdity.³³

³⁰ WEB 32, Metal Trades decision, 23/9/42, 48 CAR Appendix 54. This judgement is discussed in Chapter Six.

³¹ *SMH*, 24/9/42, p. 4; Minutes, Victorian Chamber of Manufactures Council Meeting, 27/10/42, Box 1, 1/1/15, VCM Collection, MU Archives.

³² Paul Hasluck, *The Government and the People 1942-1945*, vol. 2, Canberra: Australian War Memorial, 1970, p. 266.

³³ *CPD*, vol. 172, 23/9/42, pp. 755-9.

Senator Foll (UAP, Qld.) continued with the theme of the wage anomalies being caused by the WEB and the consequent injustice being done to women who have worked in industry for many years and who have become highly proficient. In many cases, he said, women compelled to earn their living in past years are receiving lower rates of pay to-day than 'society damsels', who are merely accepting work in munitions factories to assist the war effort. Awards covering women's employment in new spheres of activity should be determined by the Arbitration Courts, not by a board of amateurs. This 'pernicious practice' of giving authority to people who are not capable of dealing with awards, should be stopped.³⁴

The Opposition again made much of employers' unequal representation on the Board and of the 'pretence' of Ellen Cashman's appointment to represent employers' interests, when her sympathies clearly lay with employees. 'This is a biased board, deliberately appointed for the purpose of being a biased body,' Senator Spicer (UAP, Vic.) said. He also argued against the restriction in the regulations that the Board must only examine the women's comparative efficiency with men in determining their wage rates, without any reference to their family obligations. Government members cannot have it both ways, he said. If they uphold the principle of the family wage based on a man receiving sufficient to support his wife and children, they:

cannot then say that in the case of the ascertainment of the proper wage to be paid to women, the sole question to be considered is the value of a woman's work as compared with the value of a man's work, and if they happen to be the same she is therefore to be paid the same.

If value is to be the sole measure of women's wages, then the same principle must apply to men. The result would be 'perhaps to bring about an increase in women's rates, but certainly a reduction in men's rates.'³⁵

The government is not asking for any privilege or concession for women war workers, the Interior Minister, Senator Collings said, 'but it is determined that no disability shall

³⁴ *Ibid.*, pp. 765-6.

³⁵ *Ibid.*, pp. 772-7.

be imposed upon them simply because they are women.' All that the regulations demand is that women who prove they can do the work as effectively as males employed on the same class of work, shall be paid at the same rate. The Board's decisions have to override State and Commonwealth laws, because there are no current decisions relating to conditions created by the war. Prior to the WEB, no determinations provided for the payment of equal rates for women when they do work equal to that of men.³⁶ Senator Brown (Lab., Qld.) made the point that the WEB is only a temporary expedient to meet war-time exigencies and that the government 'has no intention of undermining the existing arbitration system.' The family wage, he contended, 'has no relation to the particular war-time fact that this is a special case, where the government is doing everything possible to bring women temporarily into industry.' When the war is over thousands of these women will have to make way for returned soldiers; meantime, they 'should be paid at a high rate because of the temporary nature of their work.'³⁷

Immediately following the Senate disallowance, Prime Minister Curtin announced that a statutory rule would be issued that day to maintain all previous decisions made by the WEB. The rule would remain valid until the Senate rejects or fails to pass, or passes with unacceptable amendments, a Bill restoring the regulations governing the Board; however, it would operate for not more than one month. Evidently, the government was prepared, if necessary, to go to a double dissolution on the issue of the WEB, a threat which 'effectively quietened' the Opposition when the Bill came before Parliament a week later.³⁸ The purpose of the statutory rule, Curtin said, 'is to prevent a chaotic position from being caused' by the absence of any authority covering women's employment in occupations for which no female rate has been fixed. The government's decisions concerning urgent war needs can be effected only by female employment in industry on an unprecedented scale. No fewer than 64,000 women are

³⁶ *Ibid.*, pp. 761-4.

³⁷ *Ibid.*, pp. 789-91.

³⁸ Mollie Bayne, *Australian Women at War*, Melbourne: Research Group of the Left Book Club of Victoria, 1943, p. 30.

needed within the next six months for essential war-production work, and that requirement cannot be met unless some other machinery is set up to carry out the WEB's functions. It would be administratively impossible for the Court to handle all the numerous individual cases involved with absorbing that number of women into employment; whereas the WEB was specially designed for this purpose. Curtin also said that some unions are objecting to women's employment in industry because they believe:

that unless the position be properly safeguarded in regard to women brought in temporarily to replace men engaged in other war work, an entirely wrong standard will be set up for women during the war, and the future standard for men will be prejudiced.

The government is concerned, he concluded, that women shall not be exploited and that any assessment made of their value in war-time shall be based on their efficiency, not on their sex. 'We are trying to make a fair evaluation of the efficiency of women in industry so that the men whose places they are taking will be assured of their jobs when they return, and will not find themselves permanently displaced by cheaper labour.'³⁹

A week later, Curtin introduced the Women's Employment Bill in the House to re-enact the disallowed regulations, and thereby all the WEB's previous decisions, and to provide for its continued existence. The government regarded the Board 'as an essential part of the administrative organisation for total war in Australia,' he said. He again emphasised that its method of approaching the special problem of determining the wages of women war workers, will safeguard the rights of both men and women:

We have to ensure that the men who are displaced do not have their economic standards eaten into by the incursion of women as a permanent economic feature. We must also keep faith with the women of this country, and ensure that if they are capable of doing as much war work as men, they shall be paid as if they were men.⁴⁰

During the lengthy debate on the Bill, the Country Party leader of the UAP Coalition, Arthur Fadden, said that the principal objection of the Opposition and employers is that

³⁹ CPD, vol. 172, 24/9/42, pp. 855-7.

⁴⁰ *Ibid.*, 29/9/42, pp. 1069-75.

the Board's activities, 'represent a departure from the accepted system of the Arbitration Court.' The wage anomalies being caused by the WEB's determinations 'can lead only to discontent and industrial friction at a time when the greatest possible degree of harmony is desirable.' Harold Holt detailed various types of anomalies now existing between different groups of female workers as a result of the Board's high rates. 'Unless there is some co-ordinating authority to lay down a general standard,' he said, 'chaotic conditions will be created which must lead to industrial unrest.'⁴¹ Throughout the debate, UAP members continued their attacks on the partisan composition of the Board and especially, on Ward's appointment of Ellen Cashman. Prior to the Bill being passed, the Opposition unsuccessfully moved four amendments concerning the Board's composition. The first was that the Commonwealth's representative be a person who had been engaged in production in a managerial capacity for at least twelve months before appointment; this provision would have effectively prevented Cashman from continuing to act as the government's representative. The others were that one of the employees' representatives be a woman; that the chairman be a County, Supreme or Commonwealth Arbitration Court Judge; and that all decisions of the Board be decided by the chairman rather than by majority vote.⁴²

The most interesting comments on equal pay came from the left-wing Victorian Labor member, Maurice Blackburn, and the UAP member for Parramatta, Sir Frederick Stewart. Blackburn believed that the terms of the regulations fell short of what was needed, i.e. to pay the full male wage, without equivocation, to women doing men's work. Since 1912, he said, the Court has continuously held that certain work is men's work and certain other work is women's work, and that if women are employed to do men's work, they shall receive men's pay. This principle - that a woman must get the male rate if she does work for which a male rate is prescribed but no female rate - is not

⁴¹ *Ibid.*, 30/9/42, pp. 1235-8, 1251-4.

⁴² *Ibid.*, 1/10/42, pp. 1342-52; 2/10/42, 1371-80. See also, *SMH*, 1/10/42, p. 7, 2/10/42, p. 7, 3/10/42, p. 11.

the same as 'equal pay for equal work.' The employment of both sexes on the same class of work does not raise the question of equal efficiency, he maintained. Two men may receive the same wage, but that does not imply equal efficiency; the law says they both must be paid the same rate, no matter whether one man is less efficient than the other. That same principle should now be applied when women are doing work in industry for which only a male rate has been fixed; that is, persons employed on the same work should be paid the same rate. Blackburn went on:

The question of efficiency or inefficiency is as irrelevant in dealing with women's wages as it would be in dealing only with men's wages. An employer ... should be obliged to pay women the same rates as are provided for men without raising any question of efficiency. I was greatly disappointed when the government did not accept that principle ... it is unjust to depart from the principle of equal pay for the sexes engaged in the same classes of work. The government has made a great mistake in doing that.⁴³

Stewart also pointed out that all men receive the same male basic wage regardless of differences in their efficiency or productivity. The Board has to assess the value of women's work in comparison with the work done by men, he said, but that principle of value is not applied in the fixation of male pay rates:

Every man, even if he performs only 60% of the normal amount of work, is legally entitled to 100% of the prescribed rate of pay. No one will deny that there is inequality in the work value of various men, and no one can deny that there are women who can hold their own with men in certain industries.

Women are the 'victims of our arbitration technique,' he went on. The basic pay rate prescribed by the courts is 'not related to the intrinsic value of work done,' but includes provision for maintenance of dependants. And although the basis of the basic wage is to provide for a man, wife and child, 'the same wage is paid without any deduction' to a single man who may never assume family responsibilities. The government could have realised its objective of mobilising sufficient female labour without setting up a special board, Stewart said, 'by eliminating all the distinction that now exists between the sexes in industrial matters, and making the salary or wage applicable to the job and

⁴³ *Ibid.*, 30/9/42, pp. 1248-51.

not to the sex of the employee.’ That is, by giving a woman the same pay for the same class of work as is given to a man.⁴⁴

Prior to the disallowed regulations being replaced by the Bill restoring the WEB, the MTEA had applauded the Board’s abolition. ‘The influx of women into industry because of the war and a Federal Labor Minister’s partisanship, presented “Equal Pay” advocates with a golden opportunity to foist upon industry their theory,’ its journal stated. It warned of the consequences if the Board were allowed to continue:

It would spoil the work of 40 years’ arbitration; it would place tremendous spending power in the hands of women who are naturally prone to spending on personal adornment and luxury; it would fix male rates (or near male rates) for females coming into industry to do female work.

This final point was a classic scare tactic, raising the spectre of rampant high wage increases being extended far beyond the WEB’s jurisdiction, to women not performing men’s work. ‘Women are not merely taking the places of men being taken out of industry, but are being absorbed by an expanding industry,’ the MTEA went on. ‘An upward movement in women’s wage rates could not be confined to the women replacing men; it would tend to spread to all women in employment, whatever the nature of their employment.’⁴⁵

Following Parliament’s adoption of the Act, the major national employer organisations were again invited to nominate a representative to the reconstituted Board. Both the ACM, to which the MTEA was affiliated, and the Associated Chambers of Commerce, declined. The latter body advised Labour Minister Ward that their decision not to re-nominate was because of ‘the inequitable minority representation of employers’ interests involved and the experience of the Board’s activities,’ which had confirmed their view that its operations conflict with the Court’s jurisdiction and would lead to ‘positive deterioration of the Australian industrial system.’ The ACM director, Withall, said that his organisation’s chief objections were that the Board is ‘a body

⁴⁴ *Ibid.*, pp. 1266-8.

⁴⁵ *MTJ*, 1/10/42, pp. 253-4.

unskilled and untrained in the delicate art of determining wages and conditions of employment'; that its operations 'inevitably derogate from the authority and standing' of the Arbitration Court; and that its decisions 'are causing considerable friction and unrest in the already complex working of industrial machinery.'⁴⁶ Following the resignation of the former employers' representative, D.H. Johnstone, the Minister appointed Arthur Upjohn, who was nominated by the NSW Hosiery and Knit Goods Manufacturers' Association, as well as reappointing Foster, Cashman, Wallis and Henderson.

By November 1942, stop-work meetings and strikes had started to spread among women munition and metal workers over employers' delays in paying WEB-awarded pay rates and especially, retrospective payments. The industrial protests followed the Board's decision on 23 September to award 90% of the total male rate, after one month's probation on 60%, to approximately 3,000 women employed by 18 metal trades companies in NSW, Victoria and South Australia. The increase was backdated to 2 March. The rise took their weekly wage to £4.14.6, compared to £3.9.0 under the Metal Trades Award.⁴⁷ The three state Chambers of Manufactures agreed that the retrospectivity date would not be recognised and that applications would be made to the Board to re-open the matter.⁴⁸ Whilst most of the companies paid the WEB rates plus back pay, others paid the increase only from 23 September. In Sydney, the Ironworkers' union (FIA) threatened industrial action against six firms that had been holding out, and following a four-day stoppage by 150 women workers at two munition factories, they agreed to pay in full.⁴⁹

In Melbourne, however, the Victorian Chamber backed five firms which refused to meet the retrospective pay for the six-month period from September to March. Its

⁴⁶ *SMH*, 17/10/42, p. 11, 10/11/42, p. 4; *MTJ*, 2/11/42, pp. 285-6.

⁴⁷ *MTJ*, 1/8/42, pp. 213-4; *The Ironworker* (later renamed *Labor News*), October 1942, p. 3.

⁴⁸ Minutes of meeting, Engineering & Allied Trades Division Executive Committee, Victorian Chamber of Manufactures, 29/10/42, Box 31, 1/5/31/1, VCM Collection, MU Archives.

⁴⁹ *The Ironworker*, November 1942, p. 1; *SMH*, 23/10/42, p. 7.

Engineering Division had agreed 'that the position should be resisted to the full,' with its members considering that the high rate payable to women 'was one of the causes of the considerable absenteeism prevailing in industry today.' At a meeting between the Division and the five companies in December, it was resolved that the payments would not be made, pending the outcome of proceedings before the Arbitration Court Full Bench in January 1943.⁵⁰

This approach to the Court for an interpretation of the WEB's powers under the Women's Employment Act, was one of two legal steps that employers took against the Board's metal trades decision. In November, they asked the WEB to re-open the question of wage rates and to revise the commencing date to 23 September. They argued that the decision to make payments retrospective to 2 March was not valid under the Act, also that the Board was not empowered to make its decision as the Senate's disallowance of the previous regulations operated from 23 September, the same date as the decision. In response to this argument of legal impediments, the Board issued a fresh decision on 11 December, reiterating the terms of its previous decision, including the retrospectivity period.⁵¹ The application to the Arbitration Court in January 1943, for an order interpreting and setting out the full meaning of the Act was made by the Victorian Chamber and the MTEA. In effect, they contended that the Court had the power to decide which women employees should come under the WEB's jurisdiction. However, the Full Bench, with Judge O'Mara dissenting, declined to issue the order sought. It ruled that the Act was valid, that the WEB had the power to fix wage rates retrospective to 2 March for women under its jurisdiction, and that therefore, the Court could not interfere with such decisions.⁵²

Despite these rulings, the five Victorian firms continued their refusal to meet the retrospective payments for the disputed period. In March 1943, Attorney-General

⁵⁰ Minutes of meetings, Engineering & Allied Trades Division Executive Committee, Victorian Chamber of Manufactures, 29/10/42 and 21/12/42, Box 31, 1/5/31/1/, VCM Collection, MU Archives.

⁵¹ *The Ironworker*, December 1942, p. 7, January 1943, p. 3.

⁵² *SMH*, 13/1/43, p. 9, 25/2/43, p. 9.

Evatt announced that prosecutions would be launched against them for non-compliance with the WEB's decision. In response, the companies claimed uncertainty as to whether the Board was entitled to include their employees within its jurisdiction. If they paid wrongly they would be liable for a breach of the Economic Organisation Regulations governing the pegging of wages; 'but we may also be faced with a refusal by the Government to reimburse us for the amount of money involved.' Three of the firms were operating annexes for war production on a cost-plus basis and the other two, on a cost basis. They pointed out that payment of the amount due, totalling £20,000, would mean, if the Treasury accepted it, 'additional profit to three of us who are working on cost-plus', but they believed that as trustees for the government, they 'must be satisfied beyond all reasonable doubt that this expenditure is legal.' Despite strikes or threats, they would not pay the money 'until such time as a competent judicial body legally orders us so to do.' The government's legal action against these five companies subsequently failed and it appears that the retrospective payments were never made.⁵³

The statement by these firms regarding the cost-plus system reveals the employers' determination to resist paying higher wages to women, even though they would benefit in the short term. Under this system, private firms contracted to supply war materiel to the government, with the price being fixed after completion of the contract, rather than in advance. The manufacturers were reimbursed for all production costs, including the wages component, plus a profit of usually, four per cent. In the early stages of switching to war production, the required machinery was often supplied by the government and the contracted work was carried out in specially constructed annexes

⁵³ *Canberra Letter* [Newsletter of ACM], no. 224, 1/4/43, pp. 4-5; *SMH*, 30/3/43, p. 4. Judge O'Mara dismissed the prosecution in the Arbitration Court in November 1943, in a test case brought by the government and the FIA against one of the five firms. He criticised the WEB for its indefiniteness concerning the specific work involved, and said that insufficient proof had been given that the work being done by the women employees was work usually performed by men and that therefore, they came within the Board's jurisdiction. The FIA made a further attempt in early 1944 to obtain the back pay, by requesting the WEB to amend its previous decision to overcome the alleged indefiniteness, but the Board rejected the union's application. In June 1944, the FIA reported that it was still negotiating with the government over the unpaid back pay for the disputed six-months period. See *Labor News* [formerly *The Ironworker*], December 1943, p. 2, June 1944, p. 2 and *MTJ*, May 1944, pp. 117-8.

adjacent to the firm's main plant.⁵⁴ Most private employers in war industries who were filling government contracts were operating on cost-plus and any rise in wages, such as those awarded to women by the WEB, meant an increase in costs and therefore, higher profit. At times, employers publicly acknowledged this benefit, while expressing their concern to protect the public purse and avoid unnecessary costs. In its 1943 Annual Report, the Victorian Chamber of Manufactures noted that some of its members were facing prosecution for refusal to pay WEB rates 'in spite of the fact that working under a cost-plus system, compliance with the order would result in added profits to the firms in question.'⁵⁵ And in March 1943, the managing director of a firm making munitions was quoted as saying 'he did not object to paying high wages to females, because on the cost-plus system he was able to charge profits on the cost of labour.' It 'was in the firm's interests to pay the higher wages,' he told the Arbitration Court, 'but as he was dealing with public money he wanted official approval before doing so.'⁵⁶

Industrial action by women munition and metal workers against employers' delays in paying the higher WEB rates, became increasingly widespread during the first half of 1943. The heightened level of employer protest and union agitation was triggered by the Board's 'common rule' metal trades award of 29 January, which extended its decision of September 1942 to cover many thousands more female employees throughout the industry in NSW, Victoria, South Australia and the ACT. The Board's capacity to significantly widen its ambit and authority by such 'common rule' determinations, was contained in amending regulations issued in December 1942.⁵⁷

⁵⁴ Daphne Gollan, 'The Duly and Hansford Strike, 1943', in Margaret Bevege, Margaret James and Carmel Shute (eds.), *Worth Her Salt: Women at Work in Australia*, Sydney: Hale & Iremonger, 1982, p. 309, fn. 3, p. 432; E. Ronald, Walker, *The Australian Economy in War and Reconstruction*, New York: Oxford University Press, 1947, p. 150. Walker comments that cost-plus was widely used 'in connection with production to which manufacturers were not already accustomed. It was subject to much criticism, and its dangers were generally recognised.' In November 1943, the War Cabinet decided to move away from the cost-plus system as much as possible - *SMH*, 25/11/43, p. 7.

⁵⁵ Lynn Beaton, 'The Importance of Women's Paid Labour: Women at Work in World War II', in Bevege *et. al.*, *op. cit.*, p. 95.

⁵⁶ *SMH*, 23/3/43, p. 7.

⁵⁷ Statutory Rules of 1942, No. 548, 23/12/42.

Again, the women were awarded 90% of the total male rate (including margins), with the one-month probationary rate being raised to 66.6%. The commencement date was made retrospective to 23 September 1942.⁵⁸ This 'common rule' metal industry decision, taken with two others issued at the same time for the munitions and aircraft industries, represented the 'last straw' for the employer organisations and others opposing the WEB and its wage-determinations. The effects of these decisions were considered to be far too great for the industry to bear and they provoked a heightened level of conservative attacks against the Board, as well as the government and metal industry unions. The campaign was conducted simultaneously on several fronts, in the media, the Parliament, the Arbitration and High Courts and the Board itself, as well as in numerous private factories or annexes employing women war workers.

In February, a conference of metal trades employer organisations from NSW, Victoria and South Australia decided to seek a meeting with the Prime Minister to point out 'the chaos introduced to the metal industries' by the WEB's 'common rule' decision and to request repeal of the regulations disallowed in the Senate. Delegates to this meeting in March 'explained the various anomalies and difficulties which were being encountered in the overlapping of the wage regulating tribunals.' The Prime Minister agreed to arrange a conference between the WEB Chairman, the Arbitration Court Chief Judge and the Attorney-General to discuss the tribunals' operating fields. Subsequently, the Victorian Chamber of Manufactures and other metal employer bodies agreed that the Prime Minister should be asked to indicate whether it was the government's policy to pay WEB rates:

to all female employees in the industry and thus not only free industry from anomalies which the decision of the Board has created, but also to place the onus on the government of introducing rates which it was considered were entirely uneconomic from a national standpoint.

He should be advised 'in no uncertain terms,' the Chamber's secretary said, 'that the Board will have to be dissolved before we can have any industrial peace.'⁵⁹

⁵⁸ WEB 94, Metal Trades Decision, 29/1/43, 49 CAR Appendix 65.

⁵⁹ Minutes, Victorian Chamber of Manufactures Council Meeting, 23/3/43, Box 1, 1/1/14, VCM Collection, MU Archives.

In March, the MTEA and the ACM publicly condemned the WEB's 'common rule' metal trades award. The MTEA secretary, D. McDonald, said that 'a great deal of dissatisfaction and uncertainty' had arisen from the decision:

The difficulty is that the Board has awarded substantial increases of wages to about half the females employed in the metal trades industry. The award does not apply to the other half who will continue to work on the fixed rates of the Arbitration Court award.

Those covered by the Board's decision will now get £1/6/- a week more than the others, plus about £30 in back pay. Employers cannot raise the wages of the lower paid, he went on, because of the government's wage-freezing regulations. 'Therefore, if a strike occurs, it is not within the powers of the employers to make any adjustment.' This award 'will breed discontent in factories which will never be healed, except by Government intervention.'⁶⁰ The ACM president, H. Hendy, gave similar warnings of the consequences, 'if the present system of sabotaging the wage-fixing structure of Australia is continued':

To divide the female working community into two camps - one section awarded by the new tribunal a wage up to 90% of the male rate, apparently in consideration of the nature of the work done, and the other awarded a female wage on the basis adopted after proper consideration by our industrial courts and having regard to the social obligations of the workers concerned - is to ask for industrial unrest and production stoppage in the plainest possible language.⁶¹

The MTEA's journal also declared that the Board 'has proved itself incapable of dealing with such a complex thing as wage fixation, and is leaving in its wake a trail of unrest and dissatisfaction.' Its metal trades decision 'is bristling with absurdities and inconsistencies and is one of the most unintelligible documents upon which the Association has been called to advise its members.' The editorial condemned the large expenditures that would result from the decision:

Quite a number of factories will be obliged to hand out over £5,000, whilst, in one instance, it reaches as high as £11,000. Altogether the decision will release at least £250,000 in spending power in New South Wales, and it would be safe to estimate that all over Australia the figure would be close to £750,000.

⁶⁰ *SMH*, 3/3/43, p. 9.

⁶¹ *Ibid.*, 5/3/43, p. 7.

Absenteeism is bad enough now; what will it be like when this money is released?

The MTEA called on the government to return to the long-established wage fixation principles, wherein the basic wage is calculated on the needs of men and women. No matter what happens with the Board, it concluded, 'it will still be left to the Arbitration Courts to clear up the mess.'⁶²

Women workers, backed by their unions, stepped up their efforts to force employers to abide by the WEB's metal trades decision and pay the awarded rates back to 23 September 1942. Employer organisations urged their members not to comply, on the grounds of their difficulty in understanding which women should receive the WEB rate of 90% of the total male wage (including margins), or the Metal Trades Award (MTA) rate of 75% of the male minimum (or 65% if less than three months' experience). They claimed that the whole position was totally confusing and open to ambiguous interpretation, especially concerning the nature of the work as specified in the regulations. That is, whether the work being done by women was, in fact, work 'usually performed by males'; work performed by men in the period from the outbreak of war to the date women were employed; or new work never previously performed by anyone. Claims, counter-claims and disputes occurred in numerous workshops around the country between employers, unions and the female workers, concerning entitlement to the WEB rates on the basis of the type of work. A common argument of employers was that women were not doing the whole of the job usually or previously done by men and that, therefore, that job was not 'men's work', but 'women's work' coming under the MTA. In many instances, women doing similar war work in either the main plant or the annexe were being paid different rates. The employers blamed the WEB for creating such wage anomalies and artificial differences between the work women were performing. The major sticking points were whether men had previously done the work; whether it was work usually or customarily carried out by men; or whether it was traditional women's work. The unions attempted to get as many women as possible

⁶² *MTJ*, 1/3/43, pp. 63-4.

covered by the WEB; they accused employers of deliberately avoiding their obligation to pay the higher rates and of seeking to use women as cheaper labour.

In February, the Sheet Metal Workers' Union NSW secretary, Tom Wright, warned that unless women workers received the 90% rate, widespread stoppages in the industry would be inevitable. 'We find that a number of firms are refusing to observe' the Board's decision, 'apparently waiting until they can find some legal loophole,' he said.⁶³ 'Doubt about some people being covered by the Board's decision is unavoidable in the circumstances,' the FIA journal commented, 'but the employers' charges about the decision being unintelligible are groundless.' Their main concern has been the increased rates now payable.⁶⁴ In early March, a stop-work meeting in Sydney of 1,000 women unionists protested against employers' attempts to evade the payment of increased wages and to prevent the Board's continued operation. Any holdups in essential war production that may occur in this dispute 'will be due entirely to the provocation of the employers and their flouting of the law,' their resolution stated. The meeting condemned a recent statement made by the Arbitration Court belittling the Board, which employers were using 'to bolster up their allegations of confusion with the Board's decision.'⁶⁵ This referred to a comment by Judge O'Mara that many of the WEB's awards 'were so loosely drawn that they were provocative of disputes because they were not understood.' He described the Board's metal trades decision as being 'vague, loosely drawn - in which scissors and paste were used, and not enough scissors.'⁶⁶

On 16 March 1943, by 17 votes to 15, the Senate disallowed the regulations gazetted in December 1942, enabling the Board to make 'common rule' decisions.⁶⁷ In moving the disallowance motion, Senator Leckie (UAP, Vic.) argued that the exercise of the

⁶³ *SMH*, 16/2/43, p. 7.

⁶⁴ *The Ironworker*, March 1943, p. 7.

⁶⁵ *Ibid.*; *SMH*, 8/3/43, p. 7.

⁶⁶ *SMH*, 24/2/43, p. 8.

⁶⁷ Statutory Rules of 1942, No. 548, 23/12/42.

'common rule' power by the WEB 'has caused an explosion in industry, with the result that no employer knows where he stands. There is now differentiation between the wages paid to women workers performing the same class of work,' with the result that inexperienced women are being paid higher wage rates than experienced women. Industry is experiencing considerable dissatisfaction and unrest because of this situation, he said. Not only are employers forbidden to pay more than the pegged wage to their lower-paid workers, but the Munitions Department refuses to sanction wages higher than the legal rate. This means that if employers paid more than the MTA rate, they could not recoup the extra cost. It was impossible for employers to prepare for the Board's action; they have suddenly been faced with large retrospective payments after they had arranged their price with the Department on the basis of their known wages bill. 'The employers are utterly helpless unless the government does something for them,' he continued. 'If these regulations be disallowed, it will be a help, but it will not remove the trouble,' which will continue so long as the WEB remains in existence. 'The employers are not asking that wages be reduced; they merely want to know where they stand.' At present, they do not know whether their female employees, previously covered by Court awards, should be brought under the Board's awards.⁶⁸

Senator Spicer (UAP, Vic.) called on the government to amend the regulations to enable the same 'common rule' procedures as followed by the Arbitration Court, to also apply to the WEB. That is, that prior notice of intention be gazetted together with the nature of the proposed award, so that all those interested can put their views before a Court hearing. The present regulations allow the Board to impose obligations upon other parties not directly involved, without them being notified or heard, he said.⁶⁹ The Postmaster-General, Senator Ashley, promised that the government would investigate definite cases of economic hardship to employers whose contracts have been affected by increased wages, to ensure that justice is done. 'There is no difficulty in arriving at an estimate of the effect of a variation of wages in connection with a cost-

⁶⁸ CPD, vol. 174, 16/3/42, pp. 1704-8.

⁶⁹ *Ibid.*, p. 1715.

plus contract, because the wages are specifically calculated.' The government is already giving consideration to the anomaly of women working side by side on two different wage rates. The reason for the Board's 'common rule' procedures, he went on, is 'to avoid waste of time, energy and money' which would occur if it had to travel around the country to hear evidence concerning industries with similar conditions.⁷⁰

Following the Senate vote, the WEB chairman, Judge Foster, said 'it was little short of tragedy' that the Board's work:

has been frustrated and interfered with by the disallowance of regulations which had for their main purpose the relief, not only of employees, but also employers, who by virtue of this common rule, were enabled to make one application instead of 10,000.⁷¹

He adjourned the Board on 24 March, saying it would not sit again until its jurisdiction and authority had been clarified. The MTEA's counsel had argued that the legal effect of the disallowance was to repeal the two main jurisdictional sections of the Women's Employment Act, as well as rendering inoperative certain of the Board's decisions. The Board is not unmindful of the industrial and political consequences of the Senate's action, Judge Foster said. Its wide experience of many hundreds of applications concerning over 60,000 women in industry, 'makes it clear that only the gravest consequences to war production can ensue and the utmost disturbance in industrial relations must follow.' Only a 'comparatively small section of employers has resisted and opposed' the Board's work. 'In the main, the necessity for some such tribunal as this has been recognised' and most employers have observed the main requirements of the regulations and the Board's decisions.⁷²

The following day, Attorney-General Evatt announced the gazettal of regulations to clarify the Board's judicial status as conferred under the Act. They provided that the regulations as existing prior to 23/12/42 (date of amendments containing the 'common rule' provisions) would have full force and effect; as would all the Board's decisions

⁷⁰ *Ibid.*, pp. 1720-3.

⁷¹ *SMH*, 24/3/43, p. 10.

⁷² *Ibid.*, 25/3/43, p. 9.

made between 6/10/42 (commencement of the Act) and 16/3/43 (disallowance of 'common rule' regulations).⁷³ On 8 April, the government gazetted further regulations to restore to the Board its power to make a 'common rule', with the procedural method changed to that followed by the Arbitration Court.⁷⁴ By using its Executive wartime powers to virtually re-enact the same regulations that the Senate had disallowed, the government was now on decidedly shaky legal ground. Employers acted quickly to capitalise on this situation, with the result that the Board's future existence was marred by a series of legal actions which reduced its power and effectiveness.

On 19 April, the Victorian Chamber of Manufactures, the MTEA and six companies instituted proceedings in the High Court, challenging the validity of the Women's Employment Act, the regulations issued under the Act, and the Board's decisions. Specifically, they sought an order that the Act and the regulations were void and of no effect, including the regulation of 8 April reinstating the 'common rule' power; as well as all the Board's decisions between 6/10/42 and 16/3/43. An injunction was also sought restraining Board members from continuing to operate.⁷⁵ The High Court action effectively meant that the WEB was inoperative for seven months during 1943, from when its sittings were adjourned on 24 March,⁷⁶ until it was reconstituted on 27 October, following the Court's decision in August. During the Court's hearings, one of the judges made a revealing comment about the payment of male rates to women war workers, which would certainly have pleased employers. In response to a plea by the defendants' counsel that the purpose of the Women's Employment Act was to encourage women to do war work in industry, Mr. Justice Starke said:

We know that women flocked to the colours without all this 60% and 100%. All this seems to me to be a gross pretence upon the real facts of the case. There was no difficulty in getting women to volunteer for war work. In fact,

⁷³ *Ibid.*, 26/3/43, p. 9.

⁷⁴ *Ibid.*, 9/4/43, p. 4. These regulations were contained in Statutory Rules of 1943, No. 92, 8/4/43.

⁷⁵ *MTJ*, 1/5/43, p. 116.

⁷⁶ The Board's sittings were formally suspended on 7 May, at which time 56 cases had been heard and were awaiting decision, 17 cases were partly heard and 160 were awaiting hearing. In addition, 340 cases had been heard and determined between May 1942 and May 1943. See 'A Brief Account of the Activities of the Women's Employment Board', 8-pp. typescript dated 8/6/43, Series 1, Folder 1, MS 805, Foster Papers, National Library of Australia.

we see them doing it in thousands, and we know there is no difficulty in getting them to go into industry for war purposes. We see them in thousands doing it. This pretence that it is necessary to offer a bribe to get women into war industries is absurd.⁷⁷

In its majority judgements given on 13 August, the High Court held that the Women's Employment Act was validly enacted and that the Board's decisions up to 23/9/42, and between 6/10/42 and 16/3/43, were preserved in operation. However, it also found that the Board had had no power to act since the Senate's disallowance of the 'common rule' regulations on 16 March. Thus, in effect, the Court validated the Board's past decisions, including its metal trades award of January 1943; but found that it had no jurisdiction as from the Senate disallowance and could no longer properly function. The Court specifically found that part of the regulations enacted in March and April, which restored the Board's power to deal with new applications and to make 'common rule' decisions, were invalid.⁷⁸ This meant that any future attempt to use the 'common rule' power would be extremely difficult. As Butlin and Schedvin say:

Apart from the legally improper re-enactment of the regulations, the High Court found fault with the 'common rule' provisions ... The board could be reconstituted without much difficulty, but 'common rule' could only be restored by extreme legal contortion. Accordingly, the board reappeared once again in October 1943 to complete its tasks with its effective power heavily pruned. 'Common rule' applications were discouraged - only one was heard - and the board proceeded laboriously to consider the remaining individual cases.⁷⁹

The union movement hailed the High Court's judgement as a victory, in its validation of the Board's past decisions, including its awards for the metal, aircraft and munitions industries. Taken with the Curtin Government's election victory a week later, unions proclaimed that employers could no longer hold up payments of the 90% WEB rates, retrospective to September 1942. As a result of the Court's decision, the FIA said, 'thousands of women workers will receive increases in wage rates ranging from 26/- to 35/- per week, and back pay of up to £60.'⁸⁰ The MTEA secretary, D. McDonald,

⁷⁷ *MTJ*, 1/7/43, p. 184; *The Manufacturers' Bulletin*, 1/8/43, p. 5.

⁷⁸ *SMH*, 14/8/43, pp. 8, 11; *MTJ*, 17/8/43, p. 216; Butlin and Schedvin, *op. cit.*, p. 558.

⁷⁹ Butlin and Schedvin, *ibid.*

⁸⁰ *Labor News*, September 1943, p. 1.

commented that many metal trades employers had withheld payments, 'pending clarification of the legal position.' He estimated that about 5,000 women would benefit, with retrospective payments amounting to £26 in most cases and as much as £50 in some.⁸¹ The ACTU advised unions with women members coming under the WEB's jurisdiction, to demand immediate payment. The Court's decision means that employers 'had no right to refrain from observing' the WEB's awards. 'Failing compliance immediately with the decision, we will request the Attorney-General to issue prosecutions against offending employers for recovery of wages due many months ago.'⁸²

The following month, Dr. Evatt and the new Labour Minister, E.J. Holloway, announced that the existing law would be strengthened 'to prevent systematic delay [by employers], amounting in some cases to exploitation.' The government 'will not permit valid decisions of its own instrumentality to be disobeyed. Payments should be made immediately.'⁸³ By June 1944, the FIA journal was reporting that it had succeeded in gaining £63,300 in back pay and weekly wage increases totalling over £1,000 for its women members in Sydney; while £150,000 in back pay and weekly wage increases of over £2,500 had been gained in Victoria.⁸⁴

At the end of September 1943, the government issued regulations⁸⁵ to restore the WEB's powers and enable it to continue functioning. They provided for the Attorney-General to sue an employer on behalf of any female employee entitled to receive WEB rates, with the period for recovery of past arrears being extended to nine months from the date of the regulations. Interest of 10% on unpaid wages would become due 14 days after a decision is made. It would be an offence for persons to incite employers not to comply with Board decisions, or for employers to refuse to comply with them.

⁸¹ *SMH*, 14/8/43, p. 8.

⁸² Circular from ACTU Secretary to Federal Unions, 24/8/43, Box E170/9/52, Federated Ironworkers' Association Collection, Noel Butlin Archives Centre.

⁸³ *SMH*, 22/9/43, p. 9.

⁸⁴ *Labor News*, April 1944, p. 2, May 1944, p. 5, June 1944, p. 2.

⁸⁵ Statutory Rules of 1943, No. 251, 30/9/43.

Committees of Reference were also established to determine cases of doubt or dispute about the women to be covered by a Board decision, comprising an Arbitration Court Conciliation Commissioner as chairman and a representative of employers and employees.⁸⁶ During the last year of the Board's life, these Committees were very important, as they determined numerous difficult cases of disputation between employers and unions as to whether particular women workers came under the WEB's jurisdiction and therefore, were entitled to receive the 90% rates and back pay. Up to 30 June 1944, the Committees had received 176 references from the Board and nearly all the applications for a hearing arose from the metal trades 'common rule' decision.⁸⁷

With the issuing of the September regulations, the Chambers of Manufactures assured the government that 'except in cases of real doubt or difficulty there will now be ready compliance by employers with their obligations to women under the Act and Regulations.'⁸⁸ The MTEA, however, remained implacably hostile. The new regulations 'savour of capriciousness and are not helpful in elucidating a very confused issue for which the employer accepts no responsibility,' it declared. They would never have been needed if the government had taken heed of warnings about the consequences of establishing an authority conflicting with the arbitration system. The MTEA's editorial then went on to make an uncharacteristically candid admission of the basis for their hostility to the WEB's awards of male rates to women workers. In designing regulations to provide for male pay rates for females replacing men, it said, the government overlooked the important point that relatively small numbers of the thousands of women brought into industry, have actually replaced males. One reason for this is that 'at the outbreak of war, when production orders began to flow and manpower became scarce it was the enterprise of managements in hundreds of factories which overcame the bottleneck':

⁸⁶ *SMH*, 1/10/43, p. 4; *Labor News*, October 1943, p. 4; *MTJ*, 1/11/43, p. 289; *The Manufacturers' Bulletin*, November 1943, p. 4.

⁸⁷ 'Women's Employment Board', unsigned 6-pp. typescript notated D.5166, p. 5, Box 1170/4(a), Muriel Heagney Papers, La Trobe Library, State Library of Victoria.

⁸⁸ *SMH*, 1/10/43, p. 4.

They simplified the work by breaking it up into numerous unskilled operations of a type suitable for the employment of women and such as it is customary for women to perform in industry and is governed by Arbitration Court Awards. They are in the main not replacing males or doing work similar to what males were doing before the war, but yet the Women's Employment Board prescribed for them 90% of male rates.⁸⁹

In other words, employers had prepared themselves for the substitution of female labour for unavailable male labour, by setting out to de-skill male jobs into dissembled parts which women could perform; thus changing men's work into simple process operations, i.e. women's work, at a pay rate of around 54% of the male basic wage. But then the Labor government overturned the normal female wage-fixing basis and, via the WEB, ordered them to pay 90% for what they considered to be no longer a man's job. The fact that most companies' wages costs and profits were covered by the cost-plus system was not the main consideration. The main thing was that if a job had become a female job, it was devalued; in the tradition of Australian wage-fixation, if a woman could do it, it was not worth a male rate.

During late 1943-early '44, many hundreds more female metal workers finally received their 90% rate, plus substantial amounts in retrospective pay. This result followed widespread industrial action by women workers and a great deal of time, money and persistence by metal unions. The major resistance to paying the WEB rates subsided in the wake of the High Court decision, Labor's election win and the government's tougher provisions against recalcitrant employers in the revamped regulations. However, some employer organisations and individual companies maintained their opposition to the WEB's determinations to the end, with five further High Court challenges being instituted,⁹⁰ before the Board was dissolved in October 1944.⁹¹

⁸⁹ *MTJ*, 1/10/43, pp. 263-4.

⁹⁰ In December 1943 a Sydney canister firm, Richard Hughes, applied to the NSW Supreme Court (later transferred to the High Court) to quash a determination of a Committee of Reference awarding WEB pay rates to its female employees. The company claimed the Committee had no power, authority or jurisdiction to make its decision, that Regulation 5(c) establishing the Committees was void, and that the Committee members had unlawfully exercised judicial power. Subsequently, the High Court quashed the Committee's decision, on the grounds that it was not empowered to determine that certain females came within the Board's jurisdiction. - *MTJ*, 15/12/43, p. 324 and 1/1/44, pp. 3-4. In the second case in February 1944, the Rola Company, supported by the Victorian Chamber of Manufactures,

Conclusion:

This chapter has shown that the major manufacturing and metal trades employer organisations never relented in their antagonism to the principle of women war workers receiving male pay rates and to the practice of the WEB in granting such awards. From early 1942 when the idea of a special wage-fixation tribunal was first mooted until after the Board's dissolution, the employer bodies pursued their opposition across a range of forums. Their conservative Parliamentary allies, the media and the Arbitration Court also pressured the government to jettison the WEB and revert to the normal method of fixing women's wages. Their constant cries about chaos in industry, divisions among groups of women workers on different pay rates, high costs incurred by the government and adverse effects on the economy, would have fed existing societal prejudices against women working outside the home, let alone doing men's jobs and receiving men's pay. On the other hand, these were extraordinary times; during the crucial 'total war' years of 1942-43 the nation was threatened by enemy attack and invasion, thousands of men were serving in the Forces and fighting overseas, and practically everyone was actively supporting the war effort in some capacity, through their paid work and/or voluntarily. Most people accepted the need for hardships and sacrifices, for much tighter government controls on their lives than ever

likewise claimed that Regulation 5(c) was invalid and that the Committees were exceeding their judicial powers. The company also challenged the Committee's decision that a section of its female employees came under the WEB's jurisdiction and therefore should receive the rates contained in its metal trades award. In July, the Court upheld the validity of the provisions of the regulation and therefore, of the Committee's decision. - *MTJ*, 1/6/44, p. 142, 1/9/44, pp. 244-5; 'Women's Employment Board', *op. cit.*, pp. 3-4. Of three further High Court judgements, two were unfavourable to the Board. One, in June 1944, involved female land tax assessors employed by the Victorian Taxation Department. - 'Women's Employment Board', *op. cit.*, p. 4. Another, in August, invalidated a Board decision concerning females employed by Crown Crystal Glass on the manufacture of scientific glassware which had not previously been performed in Australia. - *MTJ*, 1/9/44, pp. 241-3; Butlin and Schedvin, *op. cit.*, p. 558. The fifth High Court case was taken by the Toowoomba Foundry, supported by the Australian Metal Industries Association, which challenged the validity of the Women's Employment Regulations and the Board's Queensland metal trades decision. In August 1945, the Court upheld the Commonwealth Government's objection to the application and dismissed the plaintiff's case. - *MTJ*, 15/8/44, p. 222; Series A472, File W23750, Australian Archives, ACT.

⁹¹ The WEB was dissolved under Statutory Rules of 1944, No. 149, 11/10/44 and its functions taken over by the Commonwealth Arbitration Court, with Judge Foster being appointed a Court Judge and delegated to deal with any outstanding WEB business - see Butlin and Schedvin, *op. cit.*, p. 559.

before and for a range of significant changes from the norm. One of those changes was the presence of large numbers of women workers carrying out jobs usually done by men. Along with many other unusual things, this was probably generally accepted as being necessary for the war effort, as well as the government's view that they had to be paid (near) male rates for the duration.

There is no doubt that much genuine discontent existed among women on unequal pay rates who were working in the same factory, or industry, doing similar war work. In many cases, experienced women who had been employed in the metal industry for some years had to stay on the MTA female rates, while the newcomers who replaced men received 90% of the male rate after a few weeks' probation. As well, the wages of the vast majority of the female workforce were fixed at around 54% of the male rate, and there certainly was widespread resentment about the government promoting high pay rates for a relatively small section of women doing men's jobs, whilst seemingly ignoring the plight of the low paid. The employers and UAP politicians cynically manipulated the wage anomalies issue in their attack on the WEB and presented themselves as champions of the rights of low-paid women (whilst carefully not pressing for their wages to be increased). Behind their rhetoric about the unfairness of women's unequal pay rates, was their determination to have the WEB abolished along with all notions of men's wages for women, and to have the whole situation returned to the Arbitration Court. There, common sense would prevail and the problem could be satisfactorily resolved by reverting to the traditional wage-fixing method of the female rate being set at preferably, no higher than 60% of the male basic wage.

The employers' consistent commitment to the Arbitration Court was at the root of their opposition to the WEB and its wage-fixing methods based on the women's comparative efficiency and productivity, rather than on the 'needs' concept of the family wage. Their major concern was that once breached, it may not be possible to revert to the tradition of 'women's work' being regarded as of lower value. They were looking to

post-war expansion of manufacturing industry increasingly based on automation, deskilling and process-line production, where cheaper female labour could be employed on a wider range of jobs. For that section of Australian capitalism that envisaged the growth of industry after the war with large-scale employment of semi- and unskilled labour, there was much more at stake in their opposition to the 'socialist' Labor government and the WEB than the short-term issue of higher wages for a section of women.

CHAPTER SIX

‘SPLENDID and SATISFACTORY WORK’: the WOMEN’s EMPLOYMENT BOARD and WOMEN MUNITION WORKERS

... all without exception throughout this vast industry agreed that females handled their machines and produced results in every way equal to males. They were not slower to learn their new tasks than males, they did not waste more time in the operating of their machines than males and were doing splendid and satisfactory work. To all of us it was an amazing revelation to see women who were yesterday working in beauty salons or who had not previously worked outside their own homes or who had come from the counters of retail stores ... who now stood behind mighty machines operating them with a skill and mastery that was little short of marvellous! ... Hats off to these women! No one who has not seen them can possibly appreciate how great is their contribution to the nation’s war effort.¹

This chapter examines the ramifications of the WEB’s wage determinations for women munition and metal workers employed in Commonwealth Government munition factories, in private war-production annexes and in aircraft manufacturing plants. It explores the Board’s rationale for its decisions to award 90% of the male rate, rather than full equal pay, to these large groups of women; and the problem of wage anomalies in government factories which aroused widespread industrial discontent among women workers. The situation of female labour within the metal industry prior to the WEB’s establishment is also examined, as well as the operating parameters of the Commonwealth Arbitration Court and the Board.

The WEB’s 90% majority standard for women in men’s jobs in industry disappointed equal pay campaigners, who saw it as maintaining a sex-differentiated wage system and as a set-back for the struggle to achieve a single ‘rate for the job’ regardless of sex. Although it was not completely satisfactory to the three major metal trades unions - the Amalgamated Engineering Union (AEU), the Federated Ironworkers’ Association

¹ WEB 12, Munition Factories (Victoria) decision, 18/8/42, 47 CAR Appendix 182, pp. 187-8.

(FIA) and the Sheet Metal Workers' Union (SMWU) - they had little practical alternative but to accept the decision as the best that could be achieved for the time being, while continuing to press for equal pay.² Nevertheless, the 90% rate was generally welcomed in the labour movement, as being a great improvement on the prevailing women's wage of around 54% of the male minimum rate, and as a necessary measure to protect men's wage standards pending their return from the war. In contrast, as shown in the previous chapter, employer organisations and other conservative forces strenuously opposed the WEB's metal trades determinations. Within the judiciary, the most outspoken critic of the Board's rates and its wage-fixing basis of comparative efficiency and productivity, was the Arbitration Court's Judge O'Mara, who held responsibility for the Metal Trades Award.

The WEB's munition decision given in July/August 1942,³ which awarded 90% of the total male rate to women workers employed at two Government munition factories in Victoria, set a precedent for further determinations throughout the munition, metal, aircraft and other industries. It was also significant in that it set 3 September 1939, as the 'critical date' for clarifying the categories of women coming under its jurisdiction, thereby including all those employed at various dates since the outbreak of war, on work usually or previously performed by men. Before discussing that decision, it is instructive to examine the situation of female labour covered by the Arbitration Court's Metal Trades Award (MTA). The difference between the female wage rates under the MTA and the WEB's male rates, as well as continuous conflicts over which women came under which award, i.e. whether they were doing 'women's' or 'men's' work, highlight the tension that existed between the two tribunals over their respective

² The views of the Council of Action for Equal Pay, the United Associations of Women and the Communist Party of Australia are examined in Chapter Seven; the policies and actions of the metal trades unions are mainly analysed in Chapter Eight, with some references herein to their responses to the Board's wage decisions.

³ WEB 12, *op. cit.* (replacing repealed order of 17/7/42).

operating parameters. It is clear that Judge O'Mara deeply resented the WEB's intrusion into his province of the metal industry and that he shared the employers' view that the Board members were ill-informed amateurs whose wage-fixing methods and decisions undermined the traditional 'family-wage' basis long upheld by the Court. Jack McPhillips, who was the FIA's assistant national secretary and Court advocate during the war, recalls that Judge O'Mara was:

very bitter about the WEB taking over where he was functioning ... He was ropeable. Taking that away from him! He would have settled it very quickly, and the women wouldn't have got 70%, never mind about 90%.

He also comments that O'Mara 'was a devout Catholic and a very strong anti-communist', and had been an employers' advocate.⁴

In the face of strong union opposition, small numbers of women and girls had entered the metal industry in the 1920s, 'on such light repetitive metal work as core-making, nut and bolt making, and drilling, lapping and assembling.'⁵ In 1924 female workers employed for half the male rate at Metal Manufactures' Port Kembla plant, went on strike over the company's attempt to speed up production for no extra pay.⁶ And in 1925 H.V. McKay introduced girls on small cores and on nut and bolt machines at the Sunshine Harvester Works, Victoria. Following union protests and an investigation by a committee, they eventually received the male rate.⁷ From 1930 the Court's attempt to facilitate technological changes in the metal industry 'caused it to reverse its policy towards boy and female labour', leading the unions to modify their strategy. 'Instead of industry-wide exclusion, they sought containment and confinement of female labour to the greatest extent possible.'⁸ This was reflected in the 1935 MTA which allowed women's employment, at less than male rates, on a restricted range of occupations in which they were already engaged:

⁴ L.J. McPhillips, tape-recorded interviews with author, Sydney, 15/11/95 and 7/2/96.

⁵ Tom Sheridan, *Mindful Militants: The Amalgamated Engineering Union in Australia 1920-1972*, Cambridge: Cambridge University Press, 1975, p. 159.

⁶ *Workers Weekly*, 25/7/24, pp. 1, 3.

⁷ *Women in the Engineering Industry* [by Muriel Heagney], pamphlet, Sydney: Amalgamated Engineering Union, 1943, pp. 15-16.

⁸ Laura Bennett, 'The Construction of Skill: Craft Unions, Women Workers and the Conciliation and Arbitration Court', *Law in Context*, vol. 2, 1984, p. 125.

Adult female labour may be employed in the manufacturing and assembling of small parts of electrical and other machinery and appliances other than wet storage batteries, armature winding and such work in the sheet metal, enamelling and canister-making industry, and in core-making, in which females were employed at the time of the making of this award.⁹

In the second half of the 1930s, unions were primarily concerned to ensure work for unemployed men:

Believing that the incentive to the employers to introduce female workers was the disparity in wage rates, the AEU and other metal unions became advocates of equal pay for equal work.¹⁰

The enormous increase in female employment in the metal industry during the war should be emphasised. At the 1933 census, 1,375 females were included in the 'metalworking, vehicles, etc.' industry, whereas in June 1943, 52,847 were employed in that category.¹¹ Female employment in the metal trades jumped from 9,500 (5.4% of the total) in 1938-9, to 55,200 (16.2%) in 1943-4.¹² This growth is further illustrated by the rise in munition production: from December 1941 to June 1943, the number of government munition factories increased from 6 to 49 and annexes from 76 to 178; while for the same period, the number of females employed in defence factories rose from 61,000 to 145,000.¹³

During 1940-41 trade unions became increasingly concerned about the threat to male jobs and wage standards posed by the uncontrolled entry of lower-paid females into male work areas. They demanded that the ACTU take action aimed at ensuring that if women were to do men's work, they must get equal pay. The Curtin Government's decision to set up a new tribunal specifically to deal with women's wartime employment in men's jobs, owed much to the insistence of influential unions that the Arbitration Court would not satisfactorily resolve the problem. They had no

⁹ 34 CAR 449, p. 469.

¹⁰ Sheridan, *op. cit.*, p. 159.

¹¹ Alfred W. Foster, 'The Experience of the Women's Employment Board in Australia', *International Labour Review*, vol. 52, no. 6, December 1945, p. 635.

¹² Sheridan, *op. cit.*, p. 160.

¹³ E. Ronald Walker, *The Australian Economy in War and Reconstruction*, New York: Oxford University Press, 1947, p. 58.

confidence of being able to get equal pay from the conservative Court, given its commitment to the established wages structure of a 'needs' basic wage for all adult men, based on their family obligations, with 'top-up' margins for skill, and a lower percentage for women. This particularly applied to the metal industry which would absorb large numbers of female war workers, and to the benchmark MTA.

As a large and influential industry union covering unskilled workers, the FIA was vitally concerned to ensure that the women who were expected to flood in on process work, should not be allowed to be employed on low pay rates. When the Labor government held discussions with the ACTU and key industry unions over the question of female labour, the FIA pressed its belief that it would be impossible to achieve the male rate from the Court and that an alternative wage-fixing body would need to be set up. As McPhillips recalls: 'We made representations to the government that if the women were to come in to replace the men who'd been called up, O.K., we'd support that, but we want a special tribunal to deal with it.'¹⁴ With the entrenched structure of the family wage for men plus margins, he says, which bound the Court at that time:

We had no earthly chance of getting equal pay for women who didn't get an equal basic wage because they weren't supporting a family and they weren't skilled ... So it was on that basis that we put to the Government ... well, there's no good going to the Arbitration Court to get equal pay, and they immediately agreed with us ... We didn't have a great argument with the Government, as a matter of fact they initiated the idea of the Women's Employment Board and then discussed it with us.¹⁵

And in relation to the terms of the regulations governing the WEB, he says:

We didn't object when the Government said, 'up to 100%'. We were in no position to say, no, that's no good, it's got to be guaranteed 100%. We were supporting their [women's] employment, not because we wanted to support the employment of women, we were supporting the war effort ... Once we agreed to the influx of women in jobs previously done by men, as part of the war effort, for which Curtin was extremely grateful, they agreed they would establish a special tribunal for this purpose.¹⁶

¹⁴ McPhillips, interview, 15/11/95.

¹⁵ *Ibid.*, 7/2/96.

¹⁶ *Ibid.*, 15/11/95.

By then, the metal unions were well aware of what they could expect to get from the Court regarding women's wages. Since lodging claims in 1940, numerous hearings had been held regarding revision of the MTA, including wages, conditions and allowable classes of work for females. The FIA claimed equal pay for females in all their current classifications, as well as restrictions on their wider employment.¹⁷ In a new award issued on 5 December 1941, Judge O'Mara set interim rates for adult females at 64% of the male needs basic wage for under twelve months' experience and 73% for others.¹⁸ His final judgement on 17 August 1942, rejected the equal pay claim and raised the adult female wage to 65% for under three months' experience and 75% for others.¹⁹ Thus, the maximum female rate payable under the MTA was a flat 75% of the basic wage, with no additional margin; compared to the WEB's 90% of the total male rate, including male margins, to women occupying men's jobs.

The other significant aspect of the August 1942 award was that female employment was extended into a much wider range of classifications. A new clause stated that an employer 'may employ females on work in the industries and callings covered by this award except on such work as shall be declared by a special Board of Reference to be unsuitable for female employees.'²⁰ This change opened the door for wider use of lower-paid women on various jobs throughout the industry; although, in practice, their entry into many exclusively male occupations in heavy industry would still be limited by a range of social and legal restrictions. 'I think it is extremely unlikely,' Judge O'Mara said:

that females will be introduced to any considerable extent in many of the divisions. Dilution Regulations exclude them from most of the crafts and the nature of the work would of necessity keep them out of many occupations in the divisions in which heavy metals are handled. I anticipate that they will be employed as they are now and in the manufacture of things which are mass produced.²¹

¹⁷ *The Ironworker*, September 1942, p. 3; J.A. Merritt, 'A History of the Federated Ironworkers' Association of Australia: 1909-1952', Ph.D thesis, Australian National University, 1967, p. 313.

¹⁸ 45 CAR 751, pp. 762-3.

¹⁹ 47 CAR 776, p. 788.

²⁰ *Ibid.*

²¹ *Ibid.*, p. 786.

Notwithstanding these qualifications, the Court's extension of female employment into wider classes of work, *at lower rates*, was an important shift in the MTA. Unions concerned to safeguard their members' jobs and wage standards, had long resisted such a change, while employers had advocated it. In fact, the clause issued in August 1942 was virtually the same wording as that proposed by employer organisations early in the year. They had sought a variation allowing women to be employed, at the female rates set in December 1941, 'on any work covered by the award,' except that declared to be unsuitable. In April 1942, O'Mara stated that the purpose of their application was to 'exclude the Women's Employment Board from functioning in the Metal Trades industry.'²² The employers' counsel had said his clients:

have a real dread that there should be two tribunals dealing with women's wages. It would be an intolerable position to have women doing work which is comparable, some of which is now being done by them and some of which comes into vogue in the future, and have different treatment of them. That is something from which Your Honour can save us if you feel that our predicament would be so bad that we should fairly be saved from it.²³

The Judge responded that he could 'well understand the employers' apprehension.' They face 'the possibility of conflicting decisions and discrimination in the matter of wages which the employees themselves will not understand and to which they will not willingly submit.' Although 'impressed with the force of the employers' submissions,' he considered that it would be improper to make an order solely directed at preventing the application of the Women's Employment Regulations to the metal trades, and on the grounds that an additional tribunal is unnecessary.²⁴ He determined, instead, that the female pay rates prescribed by the 1941 award applied to women employed in the classes of work listed in the 1935 award, as well as 'in work upon which females were employed on or before the date upon which clause 5 of the said award came into operation.' (i.e. 5 December 1941).²⁵

²² *Ibid.*, p. 777.

²³ *Ibid.*, p. 778.

²⁴ *Ibid.*

²⁵ *Ibid.*, p. 779.

This additional point had much to do with defining the respective jurisdictions of the Court and the WEB, over the large numbers of women workers who had been employed to replace men on munition production and metal trades work during the first two years of the war. At the commencement of the war in Europe, only 1,000 women were employed in munition production, primarily at Government Small Arms Factories. But by the time of the Japanese war, 11,200 women were working in a range of munition production jobs in government or semi-government factories; and a further 60,000 were engaged on direct war contracts in private factories.²⁶ The wages and conditions of workers in government munition factories were determined by an agreement made in December 1939 between the unions and the Munitions Minister. Judge O'Mara's judgement of April 1942 meant that women employed in various metal trades occupations in private industry up to December 1941, now came under the ambit of the MTA's female pay rates.

The extension of the MTA's rates to this large group of women who had come into war work because of the manpower shortage, was a blow to the FIA and other metal unions who maintained that the 'new' female workers (as distinct from women who had been in the industry before the war), should receive male pay rates. To that end, they had supported establishment of the WEB, whilst also trying to achieve equal pay from the Court through the process of formulating the new award. Their immediate problem following the Court's determination, was that they now had nowhere to turn. This was because the wording in the Women's Employment Regulations of 25 March,²⁷ limited the WEB's jurisdiction to females employed on work for which a male pay rate had been determined, but not a lower female rate. It was estimated that only about 4,000 females could come within that definition and the regulation was soon amended to remove the limitation and extend the Board's ambit.²⁸ In fact, the amendment resulted

²⁶ *Facts and Figures of Australia at War*, no. 1, June 1943.

²⁷ Statutory Rules of 1942, No. 146, 25/3/42.

²⁸ 'A Brief Account of the Activities of the Women's Employment Board', 8-pp. typescript dated 8/6/43 (probably written by Judge Foster), p. 1, MS 805, Foster Papers, National Library of Australia [hereafter NLA].

from strong pressure by the FIA on the ACTU and the government. Immediately after O'Mara's April 1942 judgement, the FIA's national secretary, Ernie Thornton, urged the ACTU secretary to take immediate action to overcome this 'blunder':

Position of females under Metal Trades Award impossible. Position now that female rates cannot be dealt with by Female Board and females will only receive rates now laid down by award which are 64 and 73 per cent needs basic wage. Dr. Wilson [Labour and National Service Department secretary] informs us you agreed to wording of regulation creating this position. We protest most vigorously against you creating this tremendous obstacle for us without consulting us and ask you take immediate and vigorous action to rectify this blunder or we will be forced to do it ourselves.²⁹

Soon after, Thornton attended a meeting of the ACTU Executive in Canberra, which drew up amendments to the regulations to be put to the government.³⁰ Subsequently, Cabinet approved amendments submitted by Labour Minister Ward to overcome the difficulty concerning the award.³¹ Under the amending regulation,³² the WEB could now deal with females employed on work for which a male pay rate had been determined and which is 'customarily performed by males'. Thus, the previous limitation of no lower female rate was deleted, meaning that women receiving less than the male rate who were doing work usually done by men, could come under the Board. That this amendment arose from the concerns of the FIA and other metal unions, was later confirmed by Ward. The initial regulations had been approved by the ACTU, he told Cabinet, but 'they proved entirely unsatisfactory to the Metal Trades Unions because of the limitations on the jurisdiction of the Board implied by a subsequent judgement of the Court.' The unions construed this 'as an attempt on the part of the Court to bring most women in the metal trades' under the terms of the MTA. Consequently, the regulations were amended to enable a wider range of women to come within the Board's jurisdiction.³³

²⁹ Telegram from E. Thornton to C. Crofts, 28/4/42, Box E170/9/27, Federated Ironworkers' Association Collection, Noel Butlin Archives Centre [hereafter FIA Collection, NBAC]. See also article headed 'Female Problem Bungled', *The Ironworker*, May 1942, p. 4.

³⁰ Minutes, ACTU Executive meeting, 30/4/42, Box D65, University of Wollongong [hereafter WU] Archives.

³¹ Cabinet Meeting, 22/5/42, Full Cabinet Minutes, Vol. 1[c], Series A2703, Australian Archives [hereafter AA] ACT.

³² Statutory Rules of 1942, No. 236, 22/5/42.

³³ Cabinet Agendum No. 458, 15/3/43, p. 3, Vol. 5, Series A2700, AA ACT.

Two further amendments to the regulations were subsequently made, which considerably widened the Board's ambit over women performing men's jobs and correspondingly reduced the Court's authority over these 'new' workers in the metal industry. The three amendments illustrate the development of government policy towards the problem of satisfactorily handling the large influx of female labour into male work during 1942. They show that the WEB's coverage and powers were increasingly extended, so that by the end of the year it had a far greater role than first envisaged. In hindsight, it seems remarkable that so many changes to the regulations had to be made 'on the run' as events unfolded, which highlighted inadequacies in the original drafting process. Such flaws were probably to be expected given the exigencies of the war demands and the heavy pressures on the new government at the beginning of 1942. It is clear, however, that the government greatly underestimated the extent of the task it conferred on the WEB, anticipating that its work would only take a few months. As Labour Minister Ward later wrote to the WEB chairman, Judge Foster: 'It was thought at the time of your appointment that the work of the Board was likely to be completed in from three to six months.' He also referred to the 'unexpectedly large volume of work' that the Board had dealt with.³⁴ As mentioned above, the original regulations envisaged that only a few thousand women would come under the Board's jurisdiction.

With the first amendment of 22 May, 1942, sub-regulation 6(1) read:

Where an employer, because of a shortage or impending shortage of male labour, desires to employ females on work for which a rate of payment for male employees has been determined by an industrial award, order, determination or agreement and which is customarily performed by males, the employer shall not employ females on any such work at a rate of payment less than that so determined for male employees, unless the employer ... has made an application to the Board setting out fully the nature of the work on which it is desired to employ females.³⁵

This was repealed on 29 June and replaced by the following:

³⁴ Letter from E.J. Ward to Judge A.W. Foster, 15/6/43, File W16333, Series A472, AA ACT.
³⁵ Statutory Rules of 1942, No. 236, 22/5/42, quoted in 47 CAR 776, p. 785.

Where an employer has, since the second day of March, 1942, employed, is employing, or proposes to employ, females on work which was usually performed by males or work which was, prior to that employment of females, or is, performed by males in the establishment of that employer, or is work which, prior to that employment or proposed employment of females, was not being performed in Australia by any person, the employer shall ... forthwith make application to the Board for a decision in accordance with this regulation.³⁶

Thus, the main changes were: deletion of reference to a shortage of male labour as the reason for employing females; deletion of reference to an existing award of a male pay rate; and addition of reference to work which is usually, or previously, performed by males, or to 'new' work not previously performed. Also, employers already employing or wanting to employ females on such work since 2 March, must apply to the Board for a determination on their wages.

The final amendment to sub-clause 6(1), made on 22 December, considerably widened the Board's jurisdiction to cover females employed since the outbreak of the war, on three categories of work:

- (a) which is usually performed by males;
- (b) which was, during the period from the third day of September, 1939, to the date of the employment of, or proposal to employ, females, performed by males in the establishment of the employer; or
- (c) which was not, during that period, performed in Australia by any person.³⁷

Further amendments to the regulations made at the same time, gave additional important powers to the Board, enabling it to make decisions affecting many thousands of women in industry. These were: the power to make a decision covering other classifications of work not covered in an application; the 'common rule' power to extend the operation of any decision to other similar establishments; and the power to make a decision on its own motion.³⁸

It is clear that Judge O'Mara was very unhappy about the adverse effect on the Court's jurisdiction of the June amendment to the regulations, as well as the Board's munition factories decision of July, which had fixed 3 September 1939, as the 'critical date' for

³⁶ Statutory Rules of 1942, No. 294, 29/6/42, quoted in *ibid*.

³⁷ Statutory Rules of 1942, No. 548, 22/12/42, quoted in 'A Brief Account of ...', *op. cit.*, p. 3.

³⁸ *Ibid*.

defining which women the Board could cover. In his judgement of 7 August, O'Mara said that the Board appears to have taken the view:

that it may select any date as the "critical date" for the purposes of applying the regulations. If that is the law then either directly through the operation of the regulations or indirectly through the trouble which will result from discriminations, the adult male wage may become the universal wage.³⁹

The regulations as amended on 29 June, he went on, now require an employer to obtain the Board's permission to employ females on work which 'has long been authorised' by Court awards. They:

create the possibility of work being permitted in one establishment and the same work being prohibited in another, and of work being under one set of conditions in one establishment and under a different set in another.

Until this amendment, 'a definite line could have been drawn' between the occupations which the Court would have covered, and those which would have been regulated by the WEB:

but to do this has become increasingly difficult. In fact the Court must now face the position of deciding whether in the field of female employment there is anything left for it to regulate in these industries.⁴⁰

Judge O'Mara's order permitting the extension of female employment on less than male rates, can now be seen more clearly in the light of the reduction in the Court's jurisdiction resulting from the increased powers given to the WEB. The Board now embraced women employed on men's work since the outbreak of the war, leaving the Court with very little authority over these 'new' women in the metal industry. However, the MTA's female rates still applied to women employed before the war, and to those who continued to be employed on jobs defined as 'women's work'. As discussed in the previous two chapters, a major source of industrial conflict in the metal trades was the issue of wage anomalies between those women on WEB rates and those doing similar work, often in the same annexe, on MTA rates. The problem was exacerbated as employers continued to engage women under the MTA's female rates

³⁹ 47 CAR 776, p. 783.

⁴⁰ *Ibid.*, p. 782.

on the basis that their work had always been done by women in the factory before the war, or that they were only doing part of a job previously done by men.

Conflict erupted in many workshops about the nature of the job and whether it was women's or men's work, with the unions endeavouring to have more women workers brought under the WEB, and employers maintaining they were legally bound to pay the MTA rates and refusing to accept the Board's rulings. Often, the situation was not clear-cut and could not easily be resolved, especially given that workers were shifted around for various periods in a day or week, onto different machines or different jobs. Thus, they were sometimes doing work that did qualify for WEB rates, and sometimes work claimed to have never previously been done by men. Most of these 'messy' cases eventually came before the Committees of Reference established in late 1943; and depending on whether or not the Board's decisions were upheld, groups of women workers finally began receiving their WEB rates in 1944, others were ruled ineligible, and a small number of cases dragged on unresolved to the war's end.

Judge O'Mara's reasons for dismissing the unions' claims for equal pay reflected the Court's adherence to the family wage system and its rejection of the alternative basis of productivity being followed by the WEB:

The argument in favour of equality of wages irrespective of sex is a strong one if the wages are fixed on a true economic basis and the responsibility for a minimum family wage is transferred from employers to society generally. By adopting a system of universal child endowment we may have progressed far towards a fixation of wages on the basis that the wages should bear a proper relation to the value produced by the employee. Such a fixation would probably result in a higher wage for women and a lower wage for men but it is a fixation which is unsound for so long as the responsibility for the minimum family wage has to be borne by the employers ...

I do not propose to discuss the claim for equal pay at any length as on the facts of this case it would not be justified by the application of any of the principles which have hitherto been adopted by any wage-fixing authority in Australia. It is argued that I should fix male rates for females on the ground that the productivity or work output of the females on the class of work on which they are employed is as satisfactory as that of the males. I do not propose to express any opinion as to whether this assertion of equal productivity is justified, as I do not regard comparative productivity of itself as being a proper basis for the fixation of wages. Disabilities, mental and physical which are associated with the performance of work may be greater in the case of one sex than in the case

of the other and such disabilities are a material factor in fixing rates of wages. The claim for equal pay is rejected for the reason already stated.⁴¹

The WEB's Munitions and Metal Trades Decisions:

The WEB's wage determinations for women employed on men's work in Government munition factories, were given in August 1942 and January 1943. The first decision, covered the government's plants at Footscray and Maribyrnong, Victoria.⁴² The second, superseding the August decision, was a 'common rule' determination covering women workers in government munition establishments in all States.⁴³ It did not, however, include women employed in the Food Services Section and on small arms ammunition manufacture at the Government Small Arms Factories (SAFs). The Arms, Explosives and Munition Workers' Federation had applied for those workers to be covered by the Board; however, the Board ruled that they were outside its jurisdiction. This was because the women had been employed, either before or after commencement of the war, on work regarded as 'female work', and were not replacing men or doing work usually done by men. Their wage rate was fixed at 66 2/3rds% of the male rate, under an agreement reached between the unions and the Munitions Minister in December 1939. The situation of industrial unrest which developed because of the dissatisfaction of lower-paid women employed at the SAFs who were doing similar work to those receiving the 90% WEB rate, led the government to seek an Arbitration Court order which would allow their wages to be raised to a comparable level. The Court's judgement in this significant 'munitions anomaly' case is examined below.

In its first munitions decision, the Board awarded 65% of the total male rate (including margins) during a two-week probationary period, and 90% thereafter, with 90% for

⁴¹ 47 CAR 776, pp. 783-4, 786.

⁴² WEB 12, *op. cit.*, pp. 182-9.

⁴³ WEB 92, Munition Factories Decision, 27/1/43, 49 CAR Appendix 52.

juniors. The rates were made retrospective to 2 March, 1942. In the January 'common rule' decision, the probationary rate was increased to 66 2/3rds% and the junior rate to 100%; while the probationary period was increased to one month and the retrospective date was set at 23 September 1942. Under the Regulations, the Board had to fix 'just and proper' rates of payment based particularly on the women's efficiency in their work performance 'and any other special factors which may be likely to affect the productivity of their work in relation to that of males.' The rate had to be between 60% and 100% of the male rate for work of a substantially similar nature.⁴⁴

As the passage quoted at the beginning of this chapter shows, the Board was most impressed with the women's capacity to learn their tasks and to operate their machines with a 'skill and mastery that was little short of marvellous!' The way that former housewives, hairdressers or shop assistants adapted to such factory work, was an 'amazing revelation' to the Board members. Their statements reveal the prevailing ideological assumptions concerning women's capacity to step outside their 'normal' roles and undertake different types of work. The 'men's jobs' they entered included learning new skills on a range of machines, or driving overhead cranes or fork-lifts. But they also involved much tiring, monotonous and repetitive process-type tasks - something that most women were well accustomed to, whether in the workforce or the home. Often, in the Board's judgements and in witnesses' evidence to the hearings, there was a tone of amazement that the women had acquired a level of competency on a par with men. There was a tendency to regard the women as sheltered, fragile beings who had never worked in factories before, or done hard tiring work, or tasks requiring concentration and skill.

Various comments also reflected the idea that the reason women were better than men in some occupations was because the work was somehow connected with their housework or similar female pursuits, or unique female traits. For example, at a NSW

⁴⁴ Foster, *op. cit.*, p. 636; also, Orwell Foenander, *Wartime Labour Developments in Australia*, Melbourne: Melbourne University Press, 1943, Appendix, p. 170.

munition factory, where women working on Owen gun parts were producing 15% more than men on the same machines, a male executive was quoted as saying: 'A man stops now and then to make a smoke or to talk, but a woman talks while she works. It must be a legacy from knitting.'⁴⁵ The link with women's home duties was also invoked by the Works Manager of the Maribyrnong Ordnance Factory, J.L. Simpson, when giving evidence to the Board:

A woman can be taught to fit certain components to another component and do it well, she will do it well day after day, consistently well day after day, she will go on without stopping. It may be that the woman is used to making beds at home and doing house work duties and she does it day after day and month after month without complaining, and whereas a man who is on that job doing the same thing day after day may say to his foreman, "Give me a move from this job, it is driving me mad".⁴⁶

Given that the women munition workers 'produced results in every way equal to males', one would think they would have been awarded equal pay. However, the Board effectively imposed a 10% penalty because of three main factors: their lesser physical strength; their periodic disability (i.e. 'regular periods of lessened efficiency and productivity peculiar to females'); and their higher absenteeism rates. The Board's view was that taken together, these factors resulted in women being less productive than men. The Board found it difficult to accurately define women's comparable efficiency and productivity, as 'no device, mechanical or otherwise, can determine the "average" female or the "average" male,' nor measure their relative efficiency or productivity in terms of a percentage.' As insufficient records or data existed to assist in this task, the Board relied on the opinions of employers, managers and foremen, as well as the women and their male co-workers. The evidence revealed 'great disparities between the best and worst female workers, as it would have done in the case of males.'⁴⁷ To overcome the problem, the Board:

endeavoured to define an average woman and to compare her with an average man doing similar work. This method provided a flat rate which, in practice, was found to operate quite satisfactorily. It probably was the only method

⁴⁵ *Sydney Morning Herald* [hereafter *SMH*], 31/8/42, p. 7.

⁴⁶ Transcript, WEB Munition Factories hearing, 15/12/42, p. 69, File 297, Series MP 346/1, AA Victoria.

⁴⁷ Foster, *op. cit.*, p. 639; WEB 12, *op. cit.*, pp. 186-7.

which would make the system workable. Obviously, the result was an approximation only.⁴⁸

Women's lesser physical strength was a significant contributing factor in the Board's decision to fix 90% rather than 100% of the male rate, as it curtailed their capacity to lift weights. The weight limitation of 35 lbs. set by the Board could not be challenged, even though many women could have physically lifted that weight, as it was already fixed by State and Federal laws and awards. According to the Board, this restriction decreased women's comparable efficiency and productivity, as often a man had to be employed to assist with the lifting, or more women had to work in some sections so that weights could be jointly lifted, or if practicable, other methods had to be introduced, such as dividing the weight into smaller lots.⁴⁹ Employers often used the weight limitation as an argument that women were not doing the whole of a job previously done by men, as they had to keep some men in the workshop to do the lifting.⁵⁰

It was women's higher absenteeism rates, however, that most adversely affected their productivity, according to the Board. At the time of its first decision covering Government munition factories, very little investigation had been carried out in industry to accurately ascertain the incidence, or causes, of absenteeism among both male and female workers. Thus, the Board relied on available records and the opinions and estimates of departmental managers. 'The evidence has revealed,' its judgement said, 'that females absent themselves from work much more frequently than males,' and that the excessive female absenteeism causes a substantial loss of productivity over all departments. The 'disastrous effect' that absenteeism has upon production, particularly mass production, was emphasised. 'It is clear that the stoppage of one machine will hold up the production right along the line. If absenteeism could be reduced a notable increase in production would follow.'⁵¹ The reasons for absenteeism

48 Foster, *op. cit.*, p. 638.

49 WEB 12, *op. cit.*, pp. 186-7.

50 See, for example, statements by employers' counsel, C. Grant, to WEB Hearing, 8/9/42, pp. 12-13A, File 1082, Series MP 346/1, AA Victoria.

51 *Ibid.*, p. 187.

could be either frivolous or vital, the Board noted. The former causes might be eliminated; however, if a woman stays away:

to meet her husband returning on leave from military duty or because her children are ill or her household duties are too urgent to be overlooked or for other good reasons there should be no penalty or reward to deal with such absenteeism unless the causes are adequately and satisfactorily dealt with.⁵²

Nevertheless, while acknowledging that women absent for vital reasons should not be penalised, the Board imposed a penalty on all the female workers because of their higher overall absenteeism rates. Needless to say, the fixation of men's wages was not affected by their absenteeism rates, nor had the issue ever been considered by industrial tribunals when fixing wages. But it was now regarded as a major determinant in assessing relative productivity and hence, the claim for equal pay for equal work.

Alf Wallis, who represented the ACTU on the Board, later told a Melbourne Trades Hall Council (THC) meeting that the Board 'only took the factor of absenteeism into account' in assessing the productivity of female munitions workers at 90%. If in the future, the women 'showed regularity of attendance they would receive the male rate,' he said. Wallis claimed that the female absenteeism rate in munitions was 17.1%, which meant that the industry 'has to carry an additional 10% of staff' to make up for it.⁵³ Two months after its Munition Factories decision, the Board again commented on female absenteeism in its Metal Trades judgement:

Further evidence and experience only confirms the views then expressed, viz., that a very substantial loss of production results from time lost by employees and that females are more frequently absent than males ... it is not yet possible to arrive at any really reliable over-all estimate of the excess of female absenteeism over that of males.⁵⁴

In her contemporary study of women war workers, Mollie Bayne notes that the Board was adversely criticised for allowing the issue of absenteeism to affect women's wage rates. Critics claimed it should not have introduced 'an irrelevant consideration which

⁵² *Ibid.*

⁵³ *The Labor Call* (Victorian ALP paper), 20/8/42, p. 8. Also, Minutes, Melbourne THC meeting, 13/8/42, Box 1, File 1/1/1/18, Melbourne Trades Hall Council Collection, University of Melbourne Archives.

⁵⁴ WEB 32, Metal Trades Decision, 23/9/42, 48 CAR Appendix 54, p. 60.

is not considered in arriving at male rates. It penalises the whole body of women who are, after all, not paid if they are not at work.’⁵⁵ One such critic, J. Brown of the Ballarat Trades Hall Council, told a Melbourne THC meeting that he could not understand the Board’s decision to give female munition workers only 90%, on account of absenteeism: ‘Why should the good girl who turns up at work every day be penalised to the extent of 10% each week, because other girls stay away.’⁵⁶ The Munition Workers’ Federation secretary, Jock MacKay, requested reconsideration of the Board’s decision. ‘We do not see any good reason why absenteeism should be the cause of penalising those people who regularly attend their work,’ he said:

Because one stays away two days it is no reason why another should be penalised to the extent of 10% ... Would it not be better for the Department to find some other means of punishment, or some other way of alleviating the curse of absenteeism?⁵⁷

The secretary of the union-based Council of Action for Equal Pay, Muriel Heagney, also strongly criticised the Board for seeking to ‘justify the discrepancy’ of 10% by singling out absenteeism, ‘as if this factor was solely confined to female employees.’⁵⁸ She called for government action to relieve the double burden of home and factory work being experienced by married women workers, including provision of creches, nursery schools, communal laundry and meal services. ‘What right has anyone to castigate the married woman worker for “absenteeism” when we consider her “normal” daily routine?’ Heagney asked. ‘Why should the wages of all women be reduced 10% when this continues?’:

Early rising, a scramble to do some housework and prepare breakfast for the family; then preparation of the children for school ... next, maybe, the task of leaving the pre-school child with a neighbour or relative on the way to toe the line with men and women workers without such responsibilities, and keep up with them during the long day, often including overtime.⁵⁹

⁵⁵ Mollie Bayne, *Australian Women at War*, Melbourne: Research Group of the Left Book Club of Victoria, 1943, p. 42.

⁵⁶ *The Labor Call*, 1/10/42, pp. 1, 4.

⁵⁷ Transcript of WEB hearing, 15/12/42, p. 97, File 298, Series MP 346/1, AA Victoria.

⁵⁸ *Are Women Paid Men’s Rates?*, Pamphlet No. 4, Sydney: Council of Action For Equal Pay, 1942, p. 9.

⁵⁹ *Ibid.*, p. 5.

Bayne also wrote of the particular situation of the thousands of married women war workers, who work 'at high pressure and under arduous conditions' and who still have to keep up their domestic and family obligations. Little has been done, to date, to lighten the burden of these women who are 'faced with difficulties which lead to absenteeism, anxiety and ill-health.' She compared this situation with the British Government's policy of providing child-care facilities to induce women to enter work: by late 1942, 1,000 wartime nurseries were catering for 40,000 children over a 12-hour day, and about 100 were opening each month.⁶⁰

The standard working week during the war was nominally 44 hours, but longer work hours were quite common, especially in factories operating continuous shifts. In 1942, the labour shortage and the demand for greatly increased production levels, led to some people working up to 60-70 hours over six or seven days. Skilled metal tradesmen, in particular, were in such heavy demand that many supplemented the 44-hour week 'with as much overtime as the human form can stand.' Inevitably, fatigue became a serious industrial problem, as did absenteeism and workshop friction.⁶¹ The ACTU proposed that maximum weekly working hours be fixed at 56 for men and 52 for women; in October 1942, a government regulation limited the hours to 56 for adults and 48 for juniors under 18.⁶² Women in government munition factories worked 40-48 hours a week in eight-hour shifts; the Department's policy was that women should not work more than eight hours a day, and that overtime be added to weekend shifts.⁶³

The Economic Organisation Regulations of February 1942 had prohibited absenteeism, except for legitimate reasons of sickness, domestic or other pressing emergencies, and

⁶⁰ Bayne, *op. cit.*, pp. 58-9. In her study of the Curtin Government's response to widespread demands for child-care facilities, Davis concludes that its actions were 'totally inadequate to meet the need generated by women's participation in war industries.' A total of 862 children were allocated extra places in fourteen centres run by voluntary organisations, and government expenditure on subsidies to these centres amounted to a 'paltry' £40,132. - Lynne Davis, 'Minding Children or Minding Machines ... Women's Labour and Child Care During World War II, *Labour History*, no. 53, 1987, pp. 85-98.

⁶¹ Sheridan, *op. cit.*, p. 152.

⁶² *SMH*, 1/7/42, p. 7; Sheridan, *ibid*.

⁶³ Transcript of evidence of L.H. Styles, Ministry of Munitions, to WEB hearing, 24/6/42, p. 13, File 504, Series MP 346/1, AA Victoria.

attendance to trade union business.⁶⁴ However, it was difficult for Manpower or other government authorities to prevent it. As Butlin and Schedvin point out, 'large-scale enforcement was out of the question politically,' and the government sensibly decided not to make a major issue of absenteeism.⁶⁵ Instead, Ministers and trade union leaders tried to curtail it through moral persuasion, stressing that absences caused loss of production which harmed the nation's war effort. Pressure was also directed at employers to improve factory conditions contributing to absenteeism, such as inadequate first-aid and safety provisions, bad lighting and ventilation, or poor-standard amenities. A range of views were aired in the media during 1942 about the causes of absenteeism, which were mostly unsubstantiated opinions.⁶⁶ There was little factual evidence to hand about the actual extent of absenteeism, or the relative importance of its various causes.

This gap was remedied in March 1943, with the publication of an extensive survey of absenteeism in industry conducted by welfare officers of the Department of Labour and National Service. Their investigation covered sixteen private factories employing 20,000 workers, ten government munition establishments and interviews with 1,200 absentees. The average loss of possible working time was found to be 7% for men and 13% for women which, the report said, 'is not high when compared with that in other countries working under war conditions.'⁶⁷ In every factory surveyed, the loss of time was greater among women than men, which was generally due to more frequent, rather than longer, absences.⁶⁸ The report concluded that about one-third of absenteeism is due to 'a practically irreducible minimum' of sickness and accidents; however, the other two-thirds 'could be greatly reduced, partly by better arrangements for shopping,

⁶⁴ The ban on unauthorised absenteeism was reinforced by specific regulations issued in October 1942 - Walker, *op. cit.*, p. 310.

⁶⁵ S.J. Butlin, and C.B. Schedvin, *War Economy 1942-1945*, Canberra: Australian War Memorial, 1977, p. 371.

⁶⁶ See, for example, *SMH*, 9/9/42, p. 9 and 21/10/42, p. 6.

⁶⁷ *How To Reduce Absenteeism And Increase Production: An Australian Survey*, Bulletin No. 2, Melbourne: Industrial Welfare Division, Department of Labour and National Service, 1943, pp. 8-9. (In the United Kingdom, the loss ranged from 4% to 15% for men and 9% to 27% for women; in the United States absenteeism averaged 6.2% and in Canada, 7%).

⁶⁸ *Ibid.*, p. 15.

transport and the care of children, but particularly by improved conditions inside the factories.’⁶⁹ After sickness and accident, the next highest cause was sickness in the family, which was three times more common among women than men, as well as other home ties such as looking after children and attending to domestic duties. Several female absentees complained of the absence of child-care centres open for longer hours to cater for shift workers, as kindergartens only operated from 9 am to 3 pm.⁷⁰

The report concluded that factory causes were the major contributor to absenteeism, together with community causes such as limited opening hours of shops and other services, transport and housing difficulties and care of children.⁷¹ The final point to note from the survey is that the female absenteeism rate in eight government munition factories for seven months in 1942, averaged 12.8% (and 8.3% for males).⁷² This figure is rather less than the 17.1% reported by WEB member, Alf Wallis. Female absenteeism varied considerably between the factories, no doubt reflecting differences over the nature of the work, working conditions and amenities, transport or child-care problems, extent of shift work and so on.

The WEB’s munitions judgement stated that ‘in some cases and not a few they [females] equal if not excel males in efficiency or productivity and sometimes in both.’⁷³ This view was verified by evidence from several witnesses to the Board’s hearings. The Munitions Ministry’s representative, L.H. Styles, for example, said that whilst there were no comparative figures for each classification, ‘we would say the women are as efficient as the men’ and that ‘they are producing the same amount as a man’ in the majority of cases.⁷⁴ The Acting Manager of the Maribyrnong Explosives Factory, A.G. Hall, also believed that after a short period, women ‘are as productive as

⁶⁹ *Ibid.*, pp. 9-10.

⁷⁰ *Ibid.*, pp. 22-25.

⁷¹ *Ibid.*, p. 33. (See also, *SMH*, 17/3/43, p. 9, for comments on the report by Labour Minister Ward, and *The Herald* (Melbourne), 17/3/43, p. 6, for comments by Prime Minister Curtin).

⁷² *Ibid.*, p. 55.

⁷³ WEB 12, *op. cit.*, p. 186.

⁷⁴ Transcript, WEB hearing, 24/6/42, p. 12, File 504, Series MP 346/1, AA Victoria.

the men on the classes of work we have engaged them on.' They are doing the same job as the men, he said, and the only difference, which lowered their production, is their greater absenteeism rate.⁷⁵ On the other hand, W.M. Fowler, Divisional Manager for munition factories in SA and WA, had a cautious estimation of whether women's efficiency could be measured at 90% of men, saying: 'I would try 75% until experience showed me I was wrong.'⁷⁶ When the work was of a routine character, he 'would certainly prefer women workers to males from the point of view of productivity':

It has been my experience where work is of a monotonous nature that women will give better satisfaction, because men or boys are looking for something beyond the immediate job, whereas a woman, as a rule, is concerned more with the immediate return for the work she is doing. On the other hand ... if it is monotonous work of an arduous nature, you cannot expect women to handle it if it were unduly arduous.⁷⁷

He immediately contradicted himself on that point, however, by saying he had seen women war-workers in England carrying out arduous work well, handling 60-lb. shells and getting excellent results. Fowler also stated that in all areas of munition work, 'we strive to break down operations to the simplest form because we find we are able to use women where we would not be able to use men.' He believed that men show much greater adaptability. 'If you have a series of operations which call for thought on the part of the operator, then I would say the men are to be preferred over time.' And when asked what is the worst he could say about female labour, Fowler replied that females do not take their responsibilities as seriously as males. 'You have to exercise a greater degree of supervision over them in many ways to ensure that you get the same standard of work and that they take their jobs seriously.'⁷⁸

The Manager of the Salisbury (SA) Explosives Factory, J.R. Cochrane, cited several examples of work more suited to women than men and where women 'are at least equally efficient.' Women are quite efficient on the lighter work, he said, 'especially

⁷⁵ *Ibid.*, 1/7/42, pp. 126-9, File 504, Series MP 346/1, AA Victoria.

⁷⁶ *Ibid.*, 14/12/42, p. 38, File 297, Series MP 346/1, AA Victoria.

⁷⁷ *Ibid.*, p. 33.

⁷⁸ *Ibid.*, pp. 33-4, 36.

where it calls for nimble fingers in handling small components,' also that 'the rank and file of women would be at least equal to men.' He felt that females are better than men 'in dexterity and nimbleness of fingers and application to monotonous work,' but are not as adaptable as men, mainly because of physical limitations of fatigue and strength.

Concerning women's sense of responsibility, he said:

they are more, shall I say, conscientious in some respects; meaning that they are extremely keen to get output, but that in doing that they tend to ignore, in some cases at least, rules and regulations laid down for safety. That I think though is due in great part to their enthusiasm, but it does give you a little concern sometimes.

He added that the majority of the women have not been in industrial work before.⁷⁹

Further opinion concerning women's work performance was given by J.L. Simpson, Works Manager of the Maribyrnong Ordnance Factory, where 750-800 women were employed in late 1942. He believed the process work which women mainly did was 'very well within their capacity,' also that their efficiency and productivity was 90-100%, excluding absenteeism, and provided the work was not likely to produce physical fatigue. Simpson considered women would be quite capable of performing skilled classifications:

I would not hesitate to take a woman, a selected woman, who could come from the ranks of the process workers, having become used to the manipulation of tools and so forth, and give her further training in order that she could do fitting work which ordinarily would come within the classification of a tradesman.⁸⁰

As explained above, the Board decided that the only practical way to handle the problem of arriving at a wage rate based on the women's comparative efficiency and productivity, was to define an 'average woman' and compare her with an 'average man' doing similar work. And thence, to settle on a flat rate applicable to all women working in the industry, irrespective of their classification or individual production results. That was the fairest way, the Board felt, of 'evening out' the differences among workers - the more efficient and the less capable, the stronger and the weaker, those with greater or lesser productivity, or higher or lower absenteeism rates, and so

⁷⁹ *Ibid.*, 15/12/42, pp. 49-51, File 298, Series MP 346/1, AA Victoria.

⁸⁰ *Ibid.*, pp. 68-9.

on. It believed that the flat rate method would 'minimise the anomalies' and 'cause far less inconvenience and friction' than any other way suggested.⁸¹ In adopting that position, the Board was aided by the fact that the majority of the women in the munition and metal industries were classed as 'process workers', whether they were on machines or on assembling and packing work. Of course, the required levels of concentration, responsibility or skill varied, as did the margins for different jobs. Most of the machine operations were certainly new to women and required some training to reach proficiency. But because they were mostly in 'process work' classifications, this made it easier for the Board to award a flat rate to all women workers. However, in some cases the union believed that the Board's decision to treat all women throughout the industry on the same basis, was particularly unfair to those in some distinct, skilled jobs who were performing the work as well as men and producing equal results. The Federated Engine Drivers' and Firemen's Association (FED&FA) strongly maintained that the classification, 'crane-driver on cab-operated overhead travelling crane', was such an exceptional case meriting equal pay.

The union's representative, P.D. Scott, argued at the Board's hearings that this work required a greater degree of skill and was entirely different from any work that women had yet done. The Department had acknowledged that fact, he said, by hand-picking women for training and by proposing a one-month probationary period instead of the usual fortnight. The six women crane drivers employed at the Maribyrnong factory to date are just as competent as the men, are giving 100% service and are satisfactory in every way, he said. They need confidence as they have to go up a straight ladder to a height of 20-25 feet:

I would suggest that once a woman has proved that she has the confidence to go up, and she gets confidence once she takes a load on that nothing is going to happen, she becomes accustomed to the job, then she either drives the crane or does not drive the crane - I mean that there can be no splitting-up process ... she either keeps that job going the same as a man, or in case she does not, the management will remove her if she is unsatisfactory.⁸²

⁸¹ WEB 32, Metal Trades Decision, 23/9/42, 48 CAR Appendix 54, p. 57.

⁸² Transcript, WEB hearing, 27/11/42, pp. 17-18, File 297, Series MP 346/1, AA Victoria.

In response to the union's claim for equal pay, the Chairman said the Board had been given:

any amount of illustrations of women in particular parts of an industry being as much as 200%, twice as good as men; and we cannot ... pick out a single woman and say "this woman is as much as 100%, this woman is 97% and this woman is 96%". We must look at the matter in a broad way.

The point with this job, Scott replied, is that 'a woman crane driver is efficient or she is not efficient, and in the case of her being efficient she is doing [a] 100% job. There is no half-way method about crane driving.' The greatest measure of her efficiency 'is vigilance, care and confidence. A person must be absolutely vigilant in making a lift.'⁸³

Scott pointed out that the Arbitration Court award for his industry strictly restricts the employment of juniors, who must receive full adult rates. The efficiency of women coming into the industry would be much higher than that of a youth of 18. If a boy were allowed to drive a crane, he would have to be paid full rates as if he were a man and this should also apply to women. The question is, he went on:

whether you are going to replace men and allow the employers to receive the same amount of work on exactly the same type of job and yet pay 10% less than the male adult rate ... Women coming in should be considered by this Board, in view of all the facts of our industry, as being entitled to 100%.

The Chairman then asked: 'Under your Award you cannot get any cheap crane drivers; that is your point? ... And you do not want them now, in the form of women or youths?'

Scott responded:

No. The women either drive the crane efficiently or they do not. There are no half margins. This Board cannot say 90% because in my opinion they would be granting cheap labour to people who are going to use crane drivers in future, and we are more concerned with outside people than we are with the Munitions Department.⁸⁴

One of the crane drivers, Dorothy Cleland, told the Board that 'the confidence of the foreman and the slingers [floormen] and the men we work with proves that we have the efficiency of the male':

⁸³ *Ibid.*, pp. 18-19.

⁸⁴ *Ibid.*, pp. 19-21.

I have not had an accident and I know that the slingers with whom I work have confidence in my ability to do this work without endangering their lives, and, if there is a particularly intricate job to do, the foreman has no hesitation in picking a woman to do the job.

The women did 'exactly the same work' in every detail, as the men, Cleland said. The men were paid £5.8.0, whereas the women were currently getting £4.17.0 (90% of the process worker's rate). She maintained that the women were entitled to receive the same pay as the male drivers. When the Chairman asked, 'notwithstanding he is supposed to keep a family?' she responded: 'We have to keep families in the absence of our husbands, we have to keep the home going and it costs about the same.'⁸⁵ Two of her co-workers agreed that the women were equally as efficient as men and should receive the same pay. Hugh Haig, a slinger who attaches the load to the crane, was asked whether he would pay women equal pay if he had his own business. He replied:

Before women came on to this job there was no man who was more biased against them than I was, as to how it would work, and when I was told I was going to have these women in my bay I tell you, I was not too pleased. If I had a business of my own today and I could get these women into it, they would be there ... at 100%, they are doing the job that the men were doing and I say they are entitled to it.

William Gathercole, a crane driver, also thought the women were just as good as men on the cranes, 'they look after their job, they are always on the alert for the slingers.'⁸⁶

The FED&FA's Federal Secretary, R.C. Pinkerton, realised he was up against the handicap of 'the general flat rate business', as he put it, but pressed the Board to award the full male crane driver's rate.⁸⁷ The following exchange ensued:

Chairman: In this case the only problem for us is this: supposing we agree that your crane drivers were entitled to 100% by reason of their efficiency and productivity, but that it had been found that it suited the conduct of industry to have a flat rate. Numbers of girls will not live up to 90%; others will live up to 120%. So we have been forced to elevate the lower grades and depress the higher ones in order to get an average. It looks as if your people may have to make a sacrifice in the interests of the lower paid girls.

Mr. Pinkerton: Is that fair to the crane drivers?

Chairman: No. It is fair to the industry and to the other girls, and it enables us to fix a flat rate, which otherwise we could not do.⁸⁸

⁸⁵ Transcript, WEB hearing, 15/12/42, pp. 60A-61, File 298, Series MP 346/1, AA Victoria.

⁸⁶ *Ibid.*, pp. 63-5.

⁸⁷ *Ibid.*, p. 84.

⁸⁸ *Ibid.*, p. 82.

Thus, despite the strong evidence supporting the women's case for equal pay, the Board stuck to its policy of not making any exceptions to the 90% rate for all women employed in munition factories and the metal industry generally. It made the point, however, in its Metal Trades decision of January 1943, that 'we were pressed strongly, as in the case of crane drivers, to recognise the equal or greater capacity shown by some females in this job.'⁸⁹

As to the fairness of the 90% rate, whilst it disappointed equal pay activists and unions who wanted 100%, it was nevertheless, a considerable advance on the prevailing female wage standard. It showed that the Board was more sympathetic towards the unions' case than to the employers who wanted a rate of around 60%; also that it took a liberal view of the phrase in the regulations, 'just and proper in all the circumstances', on which it was to base its wage decisions. In the first Metal Trades case of September 1942, the employers argued that based on prevailing economic conditions and the established practice of fixing female rates in line with the family wage system, 'it is just and proper to fix a lower rate for females irrespective of their relative efficiency and productivity, even if that productivity is 100% that of males.' But that position was 'quite unjust and improper' to the unions. They argued that 'it is an injustice that a war emergency should enable employers to exploit the cheaper female labour and in addition involves a grave menace to the restoration of jobs of men after the war.' The Board held that its function, as intended by the regulations, was 'to find the common level of male and female productivity and to fix wages accordingly.'⁹⁰

Board members were often surprised, even taken aback, at the level of competency women war workers had achieved in the various men's jobs they had undertaken. On many occasions, in comments at hearings, in written judgements and press interviews, the WEB chairman, Judge Foster, praised the great contribution women were making to

⁸⁹ WEB 94, Metal Trades Decision, 29/1/43, 49 CAR Appendix 62, p. 64.

⁹⁰ WEB 32, Metal Trades Decision, 23/9/42, 48 CAR Appendix 54, p. 58.

war production. For example, after hearing the evidence of a female sheet metal worker who had been working 12-hour shifts for several months, he expressed his:

personal appreciation and congratulations on the services you are rendering out of a sense of duty. You are giving a great sacrifice of your own time and pleasure in order to serve the war effort and I think that what you have done is a very notable example of what women are doing in Australia.⁹¹

He also pointed out the significant social changes that the war had brought concerning women's place in the society, the type of work they could do and their future expectations:

The traditional chivalry of this country on the point of work suitable for women is undergoing a radical change. Women are proving able and willing to do work that a year ago would have been considered beyond their capacity or more than should be asked of them. They operate all kinds of presses, exceeding 500 tons, and work with high speed apparatus possessing large components as well as the smallest and most intricate of precision instruments ... All this kind of work they did quite as well as men.⁹²

And in 1945, in summarising the WEB's experience, he noted that:

women proved themselves highly capable and enabled a war economy to function in a manner hardly thought possible before the war. They adapted themselves rapidly to novel conditions and to new work; they acquired a machine sense, showed great skill and dexterity in all sorts of tasks, particularly those requiring patience, deftness, and attention to detail, while in monotonous repetition work, they invariably excelled their male counterparts.⁹³

According to Larmour, however, Foster 'appeared to take a deliberately narrow view' of the WEB's achievements and was 'careful not to go beyond Curtin's claim for the Board that it was a wartime expedient only.' Yet, she continues, 'it was obvious that some peace time readjustment would need to be made and that women would not simply revert to the pre-war social order and attitudes.'⁹⁴ As Foster conceded in January 1943, 'the community in the future, if not the present, will have to face the problem of so-called "equal pay" much more earnestly than it has so far done.'⁹⁵ And in his 1945 article, he conjectured that if women were able to secure continuance of the WEB rates, that may be the first step towards 'equal pay' or 'the rate for the job'. On

⁹¹ Transcript, WEB aircraft industry hearing, 7/12/42, File 854, Series MP 346/1, AA Victoria.

⁹² *The Mail*, Adelaide, 19/9/42; cited in Constance Larmour, *Labor Judge: The Life and Times of Judge Alfred William Foster*, Sydney: Hale & Iremonger, 1985, pp. 166-7.

⁹³ Foster, *op. cit.*, p. 641.

⁹⁴ Larmour, *op. cit.*, pp. 171-2.

⁹⁵ WEB 94, *op. cit.*, p. 65.

the other hand, he continued, male unionists feel strongly that women 'should not be allowed to displace men even at equal rates':

Men are the breadwinners and home builders, and maybe women will prefer that it should remain thus, so that they may find their life's work as wives and mothers rather than as machine attendants.⁹⁶

As it transpired, the push for 'equal pay for equal work' continued in the early post-war years leading up to the 1949-50 Basic Wage Inquiry, in which Foster and his fellow Arbitration Court Judges rejected the unions' equal pay claim, setting the female minimum wage at 75% of the male basic wage. In view of Foster's leading role in the WEB which departed from the prevailing norm concerning female wage-fixation, it is ironic that his arguments in the 1950 judgement upholding the family wage basis, 'became the standard rebuttal of the case for equal pay for the next twenty years.'⁹⁷

The 'Munitions Anomaly' Court Case:

Wage anomalies between different groups of women workers in government munition factories created much discontent among those women not covered by the WEB rates. Agitation by the workers and the Munition Workers' Federation led the Federal Government to attempt to resolve the problem through the Arbitration Court. The wages of women working in the Small Arms Factories (SAFs) were fixed at 66 2/3rds% of the male basic wage, by agreement between the unions and the Munitions Minister in December 1939. (The minimum rate was 62.6% in Victoria and 60% in other States;⁹⁸ most women working on small arms manufacture actually received 62%). Before the war, women were only employed on small arms ammunition and food services in the SAFs, whereas only men were employed in other sections of government factories; thus, the women who replaced men in those areas clearly came under the 90% WEB

⁹⁶ Foster, *op. cit.*, p. 641.

⁹⁷ Larmour, *op. cit.*, p. 208.

⁹⁸ *The Argus*, Melbourne, 12/3/43, p. 3.

rate. Those employed in the SAFs, however, either before the war or since, who were performing 'women's work' that had not previously been done by men, were excluded from the WEB's jurisdiction. In mid-1942, of about 13,000 women employed in government factories, some 5,000 were engaged on small ammunition work (compared to about 600 before the war), while the other 8,000 were doing work that had formerly been exclusively done by men.⁹⁹

The question of industrial trouble arising from the disparity in wages between the two groups of women was discussed in WEB hearings. Judge Foster was clearly concerned about the problem, but could do nothing to resolve it. The Board cannot change the conditions of those women it does not cover, he told the Department's representative:

They cannot go to the Arbitration Court unless an anomaly arises and they cannot come to this Board because it has no jurisdiction, as constituted. They are left high and dry while they watch their sisters in adjoining departments or adjoining shops having their conditions investigated and their rates raised. Obviously it is clear that such a state of affairs would create dissatisfaction and also problems in regard to your managements.¹⁰⁰

In a later hearing, he said that anomalies are inevitable throughout the industry, because only a certain section of females can come within the Board's jurisdiction, and their wages are fixed by a different method from that adopted by all other tribunals. 'I am afraid we cannot avoid that, it is a matter of governmental policy.'¹⁰¹ The Board's Metal Trades judgement of September 1942 also referred to the problem of wage anomalies. By raising the female rate in cases covered by the Board's powers, it stated, 'then an injustice is done to all other females and striking anomalies are created and insuperable difficulties for employers provocative of serious industrial unrest and disturbance.' The Board 'sees no way out of the difficulty short of refusing to fix the

⁹⁹ L.H. Styles, Transcript, WEB hearing, 24/6/42, p. 6, File 504, Series MP 346/1, AA Victoria. (As discussed in Chapter Five, the wage anomaly problem was not confined to the government factories. Thousands of women working on munition production in private annexes were employed under the MTA's female rates and it was in the private arena that most of the industrial conflict ensued, over union claims or Board decisions that groups of women workers were entitled to come under the WEB. The discussion here, however, relates only to the situation in the government factories).

¹⁰⁰ Transcript, WEB hearing, 27/11/42, p. 5, File 297, Series MP 346/1, AA Victoria.

¹⁰¹ *Ibid.*, 15/12/42, p. 58, File 298, Series MP 346/1, AA Victoria.

wages at all.’ It also made the point that such wage anomalies have occurred before in Australia’s wage-fixing processes:

Anomalies have always existed and still exist apart from the work of this Board, and the consequences feared and easily exaggerated have not always followed ... One looks back upon the history of the work of the Commonwealth Arbitration Court and upon the anomalies and confusion that was inherent in its early work and from its limited jurisdiction, but industry survived. Anomalies and difficulty seem to be the inevitable concomitant of periods of change and transition.¹⁰²

In March 1943 in the Arbitration Court, Conciliation Commissioner Mooney refused an application by the Munition Workers’ Federation that women munition workers in government factories who were outside the WEB’s jurisdiction, should have their wages raised to 90% of the male rate. The union claimed that these women were doing work in Victoria for £3/14/-, which was just as skilled as women receiving £6 and more under the WEB’s decision. Mooney agreed with the union’s contention, but he was bound by a previous Court ruling that a determination of the WEB ‘did not of itself create an anomaly.’¹⁰³ The case involved 640 women who had been employed on process work before the war on the female munition rate. Following the Board’s decision that it could not cover them, but that all women entering men’s work since the war’s commencement were to be paid 90%, ‘the 640 females went on strike for the higher rate.’ At this time, the Munitions Department employed 6,000 women on female work (small arms manufacture), and some 10,000 on male work or ‘new’ work not previously performed. The WEB rate applied only to this latter group.¹⁰⁴

Following this ruling, Labour Minister Ward referred the issue of the pay differences to the Full Arbitration Court, on the grounds that an anomaly existed between the WEB rates and the female munition rates. The government’s reference ‘amounted to a request’ that the Court should apply the WEB rates to all the 6,000 women doing female work, the Metal Trades Employers’ Association journal said. Stoppages and

¹⁰² WEB 32, *op. cit.*, p. 59.

¹⁰³ *The Argus*, 12/3/43, p. 3. The Court’s previous ruling had been given in February 1943, in dismissing an application by the Textile Workers’ Union - see Butlin and Schedvin, *op. cit.*, p. 558.

¹⁰⁴ *The Metal Trades Journal*, [hereafter *MTJ*], 1/5/43, p. 117.

threatened industrial trouble had arisen among female employees in the Small Arms section. The MTEA report pointed out that workers in government factories:

change from one class of work to another and, as their rates change with them, industrial trouble is caused. An employee reduced from 90% to 66 2/3rds% is often found to be guilty of absenteeism and production is lost ... The Department cannot get extra hands to take on the work, and it is impossible to get employees on 90% to transfer to this section.¹⁰⁵

During the hearing, Chief Judge Piper emphasised the importance of the question the Court was being asked to decide. National Security Regulations fixed wages unless anomalies existed; it had never been suggested by anybody else that what the WEB had done created an anomaly under the decisions of other tribunals. 'The whole conception of the basic wage, margins for skill and the finances of the country [are] in jeopardy,' he reportedly said.¹⁰⁶

In June 1943, the Full Court (Judges Piper, O'Mara and Kelly) unanimously decided that no anomaly existed and thus, rejected the government's claim that the wages of those munition workers not covered by WEB rates, be increased.¹⁰⁷ Its lengthy judgement summarised the history of Australian wage-fixation for both sexes. It was clearly intended as a thorough reaffirmation of the 'family wage' basis followed by the Court since its inception, as well as a repudiation of any idea that female wages ought to be determined on the basis of comparable productivity and efficiency. Such a shift, it held, would inevitably result in a reduction of the male basic wage and thus, a reduction in families' living standards.

In discussing the Women's Employment Act 1942, the Court said it seems plain that the legislature decided that for the purpose of aiding the prosecution of the war, there was a need to encourage more women to enter industry and to retain those who were already employed. And accordingly, that it was necessary to constitute a special tribunal to decide the pay rates and employment conditions of women performing

¹⁰⁵ *Ibid.* See also, *SMH*, 22/4/43, p. 7.

¹⁰⁶ *MTJ*, 1/5/43, p. 118.

¹⁰⁷ *SMH*, 18/6/43, p. 7.

certain classes of work. To this end, it directed the tribunal to assess rates of payment by reference to females' efficiency and any other factors likely to affect their productivity compared to males. This consideration of women's relative efficiency and productivity:

is one which had not been regarded by the industrial authorities of Australia as a measure to be used generally in the assessment of the gross wage rates for the respective sexes. The legislative direction ... amounted, therefore, to a direction that such women should be accorded, in the matter of wage-fixation, special and exceptional treatment.¹⁰⁸

In its summary of the history of wage-fixation and of the family wage basis followed by industrial tribunals since 1907, the judgement said 'it is beyond question':

that the general rule adopted and followed by the Australian industrial authorities in the assessment of wages for adult women workers, engaged upon work suitable for women in which they cannot fairly be said to be in competition with men for employment, has been and still is to fix a foundational amount, calculated with reference to the needs of a single woman who has to pay for her board and lodging, has to maintain herself out of her earnings, but has no dependants to support; and to add to this foundational or basic amount such marginal amounts as may be appropriate ...

The work of the women employed by the Department of Munitions on the manufacture of small arms ammunition is admittedly work which has been found suitable, and is still suitable, for women to perform ... The rates of payment prescribed ... are assessed in substantial conformity with the general rule stated above. They are not anomalous with reference to that general rule.¹⁰⁹

Concerning the WEB's decisions, the judgement said 'it is perfectly clear that the dominant factor in the Board's assessment has been its finding of comparable efficiency and productivity.' Whilst this assessment is within the Board's discretion:

it is not in conformity with the general rule of wage assessment ... As we have said, the rates of the agreement on the other hand, do conform substantially with the general rule. It is impossible to hold that they are anomalous because they are out of accord with the exception specifically authorised by Parliament for a specific purpose.¹¹⁰

Finally, the judgement pointed out that the Chief Judge had noted that 'if women's rates were to be assessed on the basis that relative efficiency and productivity ... were to

¹⁰⁸ 50 CAR 191, 17/6/43, pp. 200-1.

¹⁰⁹ *Ibid.*, p. 211.

¹¹⁰ *Ibid.*, p. 212.

constitute the dominant factor', it would be necessary to review 'the principles in accordance with which the basic wage has been determined':

That this necessity would arise must be apparent. For the basic wage for adult males has been fixed at as high an amount as the Court has thought practicable in all the circumstances of the case, including ... the existing proportionate levels of wages for women and minors. The share of men workers in the fruits of production will need to be reduced if women are to participate therein on an equal footing, or on a better footing generally than that to which they have hitherto been held to be entitled.

... so long as the foundational or basic wage for women is assessed according to a standard different from that which is the basis of the foundational or basic wage - a family wage - for men, the Court will not ... raise the general level of women's minimum wages in occupations suitable for women, and in which they do not encounter considerable competition from men, according to a comparison of their efficiency and productivity with ... [that] of men doing substantially similar work. To do so would at once depress the relative standard of living of the family as a group, and of its individual members, as compared with that of the typical single woman wage-earner.¹¹¹

Conclusion:

It is clear that Judge O'Mara was deeply antagonistic towards the WEB's intrusion into his metal industry domain, and that he endeavoured to retain the Court's authority over the large numbers of 'new' women war workers moving into male jobs. The Court also resented the Labor Government's decision to bypass its wage-fixation authority by establishing a special tribunal with power to determine these women's wages and conditions. This move effectively meant that the WEB was constituted as an alternative to the Court, albeit only for the duration of the war. The government took this decision primarily because of trade union pressure for females performing male jobs to be paid male rates; it could not have risked the consequent industrial turmoil if they had been allowed to be employed on low female rates. In effect, the women were regarded as surrogate men, who would protect the wage standards and jobs of the absent men until their return. If the government's plans for large-scale female employment in war-production industries were to be successfully implemented, the cooperation of the strategically important metal trades unions was crucial. This particularly applied to the

¹¹¹ *Ibid.*, p. 213.

communist-led Federated Ironworkers' Association, as it covered process workers and other unskilled classifications which most of the women workers would enter.

During the first eighteen months of the war, the FIA's attitude towards expansion of female labour in the metal industry was lukewarm at best, or even antagonistic as long as men were still unemployed. But by the second half of 1941, wider political issues had intervened which ensured that the FIA would support women's entry into men's jobs. It was, indeed, fortunate that by the time the Curtin Government assumed office the Communist Party was fully supporting the 'people's war to defeat fascism'. As Jack McPhillips' comments show, the primary issue for the union was not support for women's employment *per se*, but support for the war effort:

It was not a matter that stood on its own, the question of women coming in; there was the question of the war and the need for the greatest devotion to the war effort ...[Once] we decided to support the war effort everything else flowed from that. And one of the things that flowed from that was to agree to an influx of women to take over jobs previously done by men - but not at 54%.¹¹²

Thus, the FIA supported the government's plans to substitute female labour in industry, *provided* it set up an alternative process to the Arbitration Court to ensure payment of full (or near) male rates. It was adamant that there would be no possibility of achieving equal pay from the Court, and that a special body had to be established to look after the incoming women workers. The government was convinced that the issue had to be taken out of the Court's hands. It was repeatedly accused of undermining the Court's authority and of ultimately seeking to destroy the arbitration system and overturn the 'family wage' structure. However, there is no evidence that the government had such a 'hidden agenda' to dismantle the Court or to bring about a permanent change in the method of wage-fixation. Rather, it saw the WEB not as a long-term alternative to the Court, but purely as a short-term expedient to help resolve a difficult wartime problem.

¹¹² McPhillips, interview, 15/11/95.

In carrying out its mandate, the WEB had to operate within the limits set by the regulations, as well as by the government's view that it was not intended to be 'an equal pay board', i.e. merely a formality that would automatically grant 100%. No matter what figure the Board might have decided, it obviously would not have pleased everyone, least of all both major antagonists. The unions pressured the Board to award the full male rate in all cases, while the employers argued strongly for the rate to be around 60%. Given all the pressures on the Board, including the social, economic and political repercussions likely to flow from a high percentage, the Board's 90% decision has to be seen as a positive step which was more supportive of the unions' stand than the employers' interests.¹¹³

By early 1943, with the union movement generally accepting the WEB's 90% decisions, the major fallout for the government was the recurring discontent over the wage anomalies issue. This problem did not, of course, come as a surprise. From the inception of the government's plans to establish the WEB and to grant male pay rates to only a section of the female workforce, it was well aware of the probable repercussions among lower-paid women workers. As Cabinet was told in December 1941, the awarding of equal pay to women in men's jobs would make it difficult to resist demands for wage rises to those doing women's work, 'as this would be the only possible method of retaining a sufficient number in these occupations.'¹¹⁴ However, as two Ministers later stated, the government accepted that wage anomalies arising from the WEB's decisions were 'part of the price which had to be paid for the special measures taken to deal with the temporary employment of women in the places of men in war-time industry.'¹¹⁵

¹¹³ Criticisms of the Board's decisions, in terms of their negative impact on the push for equal pay during the war, are canvassed in the next chapter.

¹¹⁴ J.J. Dedman, Cabinet Submission, 'Employment of Women', 13/12/41, p. 7, File 1943/393, Series A9816/3, AA ACT.

¹¹⁵ Agendum No. 696, Cabinet Submission by the Treasurer and Minister for Labour and National Service, 14/7/44, p. 1, Vol. 11, Series A2700, AA ACT.

CHAPTER SEVEN

EQUAL PAY CAMPAIGNERS and the WEB: RECONCILING PRINCIPLES WITH PRAGMATIC POLITICS

The 90% standard WEB rate for the munitions, metal and other industries, disappointed equal pay activists and unions. Despite continued union efforts to claim the full rate, however, it soon became clear that the Board would not shift from its policy of deducting 10% on the grounds that the female workers' productivity and efficiency did not fully equal that of males. Consequently, the key metal industry unions had little choice but to accept this outcome as the best that could be gained at present and as a positive step towards achieving equal pay in the future. Whilst certainly not their preferred result, they recognised that the WEB's award of 90% of the total male rate including margins, was a great improvement on the prevailing 54% female standard, as well as the Metal Trades Award rate of 75% of the male basic wage¹. Some equal pay advocates also came to accept this view, and that the goal of full equal pay was temporarily unrealisable. These groups included the Communist Party of Australia (CPA), the feminist United Associations of Women (UAW) and some members of the union-based Council of Action for Equal Pay (CAEP). Others, notably the Council's secretary, Muriel Heagney, refused to accept the Board's position as the final word and continued to press their demand for a single 'rate for the job' irrespective of sex. Ultimately, the differences among CAEP members over attitudes to the WEB, led to a division in its ranks and to its diminished influence within the labour movement.

This chapter explores these unfolding processes within CAEP, which illustrate the declining importance of equal pay in the second half of the war. The views of several key players are examined, particularly Heagney and other CAEP activists, the UAW led

¹ The wider political and industrial issues involved in the policies of the three major metal unions towards the entry of women into their industries and the WEB, are analysed in the next chapter.

by Jessie Street, and the CPA. The chapter illustrates the way in which the impetus for equal pay, as a measure of social justice and equality for women, became dissipated during the war years, largely as a result of the WEB's operations. This process cannot, however, be solely attributed to the Board's performance and decisions. From the time the Curtin Government decided to establish a wartime tribunal that would award male rates 'up to 100%' if the women proved to be equal to men, i.e. a system of payment by results, it was also deciding to shelve the question of equal pay as a principle of social equality. As Larmour points out, setting up the WEB as a temporary expedient allowed the government to postpone a decision on equal pay until after the war.²

The Council of Action for Equal Pay:

From its foundation meeting in June 1937, CAEP was organisationally and financially based in the trade union movement. The level of its activities largely relied on the efforts and dedication of its honorary secretary, Muriel Heagney, and other executive members. Policy differences with the United Associations of Women over the feminists' gradualist method of achieving equal pay led to the UAW's withdrawal in 1940. The Council rejected the ambiguous concept of 'equal pay for equal work'; rather, it advocated equal pay on the basis of an occupational 'rate for the job' regardless of sex, and on 'equal pay for the sexes', implying the elimination of sex

² Constance Larmour, 'Women's Wages and the WEB', in Ann Curthoys, Susan Eade and Peter Spearritt (eds.), *Women at Work*, Canberra: Australian Society for the Study of Labour History, 1975 (special issue of *Labour History*, no. 29, November 1975), p. 54 and Larmour, *Labor Judge: The Life and Times of Judge Alfred William Foster*, Sydney: Hale & Iremonger, 1985, p. 163. For similar views, see Penelope Johnson, 'Gender, Class and Work: The Council of Action for Equal Pay and the Equal Pay Campaign in Australia During World War II', *Labour History*, no. 50, 1986, pp. 133, 142-3; and Kate Darian-Smith, *On The Home Front: Melbourne in Wartime 1939-1945*, Oxford: Oxford University Press, 1990, pp. 64-5, 67.

differentials and evaluation of women's work in the same way as men's.³ Thus, its mandate was expressed as:

advocacy of the rate for the job irrespective of the sex of the worker, the elimination of sex differentials in legal industrial standards, and the achievement of equal status and equality of opportunity for workers of either sex.⁴

During its first few years, CAEP concentrated on publicising the case for equal pay wherever possible, and seeking wider support from the union movement, the ALP and the general community. It contributed letters and articles to newspapers and journals, distributed information and lobbied parliamentarians. Assistance was also given to unions preparing arbitration cases, such as the Clerks' Union claim for equal occupational rates before the NSW Industrial Commission in mid-1940.⁵ In 1938-39 much effort was put into a campaign to effect equal pay through an amendment to the Constitution. This idea was resurrected in late 1942, when CAEP again urged all Federal Parliamentarians to support a referendum for a Constitutional amendment declaring that women are entitled to equal wages and work opportunities.⁶

Throughout the war, and especially during 1942-3, CAEP focused on lobbying Federal MPs, through regular letters and telegrams restating the equal pay case, disagreeing with particular statements or actions and proposing alternative steps.⁷ Certainly, CAEP made its presence felt and Heagney's indefatigable efforts ensured that its views were not overlooked. Whilst the extent of its effectiveness is debatable, its representative and sizeable trade union connections ensured it a measure of influence.

³ 'Equal Pay For The Sexes: Survey on Women's Wages by Muriel Heagney for the A.C.T.U.', June 1948, 72-pp. typescript, Box 1164/2, MS 9106, Heagney Papers, La Trobe Library, State Library of Victoria [hereafter SLV]. See also: Johnson, *op. cit.*, p. 137.

⁴ *Are Women Paid Men's Rates?*, Pamphlet No. 4, Sydney: Council of Action for Equal Pay, 1942, p. 17.

⁵ Report to CAEP Third Annual General Meeting, 16/7/40, CAEP Minute Book, Box 1165/3, Heagney Papers, SLV.

⁶ CAEP Circular to Federal MPs, 19/9/42, File 'Equal Pay Vol. III', ML MSS 2160, United Associations of Women [hereafter UAW] Papers, Mitchell Library, Sydney; and *Are Women Paid Men's Rates?*, *op. cit.*, p. 11.

⁷ Johnson, *op. cit.*, p. 139; References in CAEP Minute Book 1940-42, Box 1166/1, Heagney Papers, SLV.

By mid-1942 its letterhead listed 54 affiliates - seven Federal unions, seven Labor Councils and 40 NSW unions.⁸ One of CAEP's telegrams was read to the House during debates on the Women's Employment Bill in September 1942. The WEB's decisions of 80-90% to date, it said, indicate its lack of consideration 'to historical facts of women in industry', and substantiate union claims for equal pay for the sexes where women are replacing men. MPs were urged to secure an amendment:

to substitute prevailing male rate for the job instead of the 60 to 100% now specified in the Bill. In addition a new clause is necessary to provide that where inequality is claimed by employers the burden of proof should rest on the employer to prove exact degree of inequality.⁹

The Council of Action's policy towards the wages of female war workers employed in male jobs, was unequivocal: they should be paid 'the same rates as the men whom they have displaced.'¹⁰ During 1941, as unions became increasingly concerned about the threat posed by lower-paid women entering their industries, the Council was optimistic that its demand for full male rates would be adopted by the trade union movement and that equal pay for all women workers would be achieved. 'We believe that we are now on the eve of victory,' its annual report declared in July.¹¹ That optimism seemed to be well-founded as events unfolded during 1941, which marked the high point of CAEP's influence within the union movement. At the start of the year, the NSW Labor Council endorsed its policies and activities and recommended that the ACTU give similar support;¹² and in April, Heagney played a prominent role in a Federal unions' conference on equal pay, which adopted a policy virtually identical with CAEP's

⁸ CAEP letter, 7/7/42, 'Equal Pay Vol. III', UAW Papers, Mitchell Library.

⁹ *Commonwealth Parliamentary Debates* [hereafter *CPD*], vol. 172, 30/9/42, p. 1258; CAEP's telegram was read by Victorian ALP Member, Arthur Calwell.

¹⁰ Resolution of CAEP Conference on 'Women and Children in Industry in Wartime', 10/8/40, CAEP Minute Book, Box 1165/3, Heagney Papers, SLV.

¹¹ Fourth Annual Report to CAEP Annual Meeting, 15/7/41, CAEP Minute Book 1940-42, Box 1166/1, Heagney Papers, SLV.

¹² Resolution of NSW Labor Council, 19/12/40, NSW Labor Council Minute Book, CY ML MSS 2074/23, Mitchell Library; and letter from Labor Council secretary, R. King, to CAEP, 10/2/41, Box 1166/1, Heagney Papers, SLV.

platform.¹³ The June ACTU Congress endorsed this policy and called on the Federal Labor Party to take the necessary action to provide for equal pay for the sexes.¹⁴

CAEP's hopes were further raised in October by the advent of Labor to Federal government, as well as by the findings of a Gallup Poll that a majority of Australians favoured equal pay. In response to the question, 'Do you favour equal pay for men and women doing the same work?', 59% of those polled said yes and 33% no. Support was strongest among working-class people, compared to those on higher incomes - 63% of 'artisans etc.' and 68% of 'poor' were for the question, as were 36% of those 'well-to-do' and 53% of the 'comfortably off'. Those favouring equal pay were in the majority among both Labor and non-Labor supporters: 66% of 'Labor voters' were for and 26% against, with 52% of 'other voters' for and 42% against.¹⁵ With a Labor government headed by John Curtin in office, achievement of equal pay now seemed much more likely. It had long been Federal ALP policy and only a few years before, Curtin had assured CAEP of his intention to implement it when Labor came to office. Equal pay had been recognised as a Labor objective since 1901, when the newly-formed Federal Parliamentary Labor Party decided 'to support the equal payment of females with males when work of a similar character was performed and the hours of labour were the same.'¹⁶ In 1915, the ALP Commonwealth Conference resolved to request the government 'to establish a minimum wage for all its women employees based upon the principle of equal pay for equal effort.'¹⁷ And in 1936, the 14th ALP Conference incorporated a new clause, 10(h) 'Equal pay for both sexes', into the

¹³ Minutes, ACTU Conference on Equal Pay for the Sexes, Melbourne, 22, 23 & 29/4/41, Box N14/126, Federated Ironworkers' Association [hereafter FIA] Collection, NBAC. See also: *Australian Trade Union Policy on Equal Pay and Equal Status 1941. A.C.T.U. Takes Action*, Leaflet no. 3, Sydney: Council of Action for Equal Pay, 1941.

¹⁴ Minutes, ACTU Congress, 3/6/41, Box N63/51, FIA Collection, NBAC.

¹⁵ *Sunday Sun and Guardian*, 5/10/41, p. 2.

¹⁶ Patrick Weller (ed.), *Caucus Minutes 1901-1949. Minutes of the Meetings of the Federal Parliamentary Labor Party, Vol. 1*, Melbourne: Melbourne University Press, 1975, p. 53.

¹⁷ Patrick Weller and Beverley Lloyd (eds.), *Federal Executive Minutes 1915-1955. Minutes of the Meetings of the Federal Executive of the Australian Labor Party*, Melbourne: Melbourne University Press, 1978, pp. 18-19.

Federal Platform.¹⁸ Further, in 1937, Curtin had informed CAEP that the Federal Party:

is entirely in agreement with you in regard to this principle [of equal pay]. It acknowledges the absolute equity of giving to women the same wages and status to those of men in respect of occupations generally. It is our intention to take the necessary steps to amend the Law so that such discrimination as is now practised may no longer subsist ... We undertake to make such amendments as are necessary to apply the principle of equal pay wherever the Commonwealth has jurisdiction.¹⁹

In February 1942, five weeks before the government issued its regulations establishing the WEB, an ACTU-convened Federal unions' conference considered the urgent need for a united response to women performing men's work. Muriel Heagney, representing the Federated Clerks' Union, seconded the conference resolution, moved by the FIA's Ernie Thornton, calling for a government regulation which would 'correct the present unsatisfactory position in relation to the introduction of females into industry at less than males' rates.' However, she had little further influence on subsequent events, as she came last in the vote for election of three representatives to pursue negotiations with the government, as part of an ACTU delegation.²⁰ One of those elected was Eileen Powell from the Australian Railways Union, who was then CAEP joint president. It was from Powell's report to CAEP about the government-ACTU conference held on 7 March, that differences emerged over the Council's ongoing attitude towards the WEB.

Before then, however, press reports were indicating an outcome based on a system of 'payment by results', that is, percentages of the male rate dependent on performance. As Heagney reported to a CAEP conference, 'there is every likelihood of unequal rates

¹⁸ *Australian Labor Party. Commonwealth Conferences 10-16, 1924-43*, ML 329.305/4, Mitchell Library. See also: L.F. Crisp, *The Australian Federal Labour Party 1901-1951*, Sydney: Hale & Iremonger, 1978, p. 71 and Ross McMullan, *The Light On The Hill: The Australian Labor Party 1891-1991*, New York: Oxford University Press, 1991, p. 195.

¹⁹ 'Report of Research Commission to First Interstate Conference on Equal Status and Equal Pay', Sydney, 8/2/38, 'Policies re Equal Pay', p. 4, C24, 'Equal Pay', Historical Subject Files Collection, University of Wollongong Archives.

²⁰ Minutes, 'Conference of Unions having Women in Industry and Unions where Women may come in as a result of the War Situation', Melbourne, 19-20/2/42, Box E218/20, FIA Collection, NBAC.

for equal jobs being prescribed.' The conference, attended by over 100 delegates from 30 unions, unanimously demanded that the Labor Government 'forthwith give effect to its policy of equal pay for the sexes by National Security Regulations.'²¹ Soon after, CAEP learnt of a letter from the Munitions Ministry secretary to the Lithgow Small Arms Factory manager, which referred to 'the scheme which is being drawn up in conference' between the government and unions concerning female employment. Women coming into men's jobs in government munition factories will receive 60% of the male basic wage during a probationary period, he advised, which rate will be 'increased gradually as knowledge of the duties and expertness of operation are acquired.' When the female reaches the same standard of aptitude as a male, she 'shall be paid the same basic wage'.²² Heagney quoted this letter in her report to the Clerks' Union Federal Conference in mid-March, as indicating a departure from the ACTU's policy of equal pay. She believed that:

obstacles, unhappily, are being created daily by the ACTU Emergency Committee and its officers in a manner that is surprising, discouraging and, in fact, devastating to all our hopes of achievement of the implementation of equal pay for women taking men's jobs under war conditions.²³

In her report to CAEP, Eileen Powell presented the ACTU-government conference in a favourable light, saying that the trade union representatives 'had achieved all that was possible in the circumstances.' She thought that press reports mentioning 60-90% of men's wages as the rate fixed for women were not reliable and that:

where it can be proved that the full job is done by women 100% will be paid, and it is important to break from the 54% standard. The government opposition to equal pay has been broken down and it now remains for the tribunal terms to be set up.

Although Powell's report was adopted, the minutes show that opposing views were developing among CAEP members. Heagney reported on the instruction given to the Lithgow SAF manager 'to call for women's labour for men's jobs at 60% of the male

²¹ Report to Third Conference on Women and Children in Industry in Wartime, 7/3/42, p. 3, and Minutes of Conference, Box 1166/1, Heagney Papers, SLV.

²² Letter from J.K. Jensen, Secretary, Ministry of Munitions, 10/3/42, Box E218/20, FIA Collection, NBAC.

²³ Report by M. Heagney on ACTU Conferences on Equal Pay, to Federal Conference, Federated Clerks' Union, 16/3/42, p. 94, Box 1166/1, Heagney Papers, SLV.

rate', with a promise of equal rates when equal efficiency and output was proved. She felt that 'the position of equal pay was very precarious and when representatives of the ACTU and the government agree to such conditions ... there is very little hope of achieving equal pay in the near future.' The NSW Sheet Metal Workers (SMWU) delegate, W.J. Curtin, deplored Heagney's 'pessimistic attitude' and said that 'the fight for equal pay must be carried on in the workshops and in the unions until success is achieved. To adopt the attitude that the ACTU had not done their job was a defeatist one.' The FIA's delegate, Olive Elliott, supported his view.²⁴

The terms of the government's regulation establishing the WEB, dominated discussion at the next CAEP meeting. In her typically forthright approach to tackling difficult issues head-on, Heagney began her report by saying: 'In the years to come Statutory Rule 1942 No. 146 will be regarded as indicative of the "dark age" in [the] history of women in industry.' She concluded that the regulations 'are intended as far as possible to preserve the differential rates for men and women.'²⁵ The joint president, Robert Day from the Rubber Workers' Union, believed that some Ministers were opposed to equal pay and that Board members 'would be given certain instructions regarding policy.' The Clothing Trades' delegate was also disappointed with the regulation. The probationary period 'could go on for ever,' whereas his experience was that when 'women were put onto men's jobs they were 100% effective from the beginning, so the 60% rate was not fair to men who may thus suffer unfair competition from the women workers.'²⁶ Another Rubber Workers' delegate, W.J. Baird, was also concerned that the regulation 'made the efficiency of female workers an issue', as this made efficiency the standard and not the rate for the job, as in the case of male workers. 'When a man goes on to a job on a fixed scale there is no question of efficiency or probation - if he does not meet the requirements of the job he is discharged.' Baird referred to a recent debate in the NSW Labor Council about the ACTU-government discussions and the

²⁴ Minutes of CAEP meeting, 17/3/42, in *ibid.*

²⁵ Report to CAEP meeting, 21/4/42, pp. 106-7, in *ibid.*

²⁶ Minutes of CAEP meeting, 21/4/42, pp. 102-4, in *ibid.*

issue of lower pay rates during a probationary period. An amendment to the Executive's report was adopted, calling for women performing men's work to be paid the male rate from commencement of their employment, 'thus expressing opposition of the NSW Trade Unions to the ACTU interpretation of equal pay.'²⁷

In opposing adoption of Heagney's report, Eileen Powell disputed the view that Ministers would give instructions to WEB members. At the conference with the ACTU, they had admitted 'that equal pay should be given if women did the full job and up to 90% for the period of probation', and she believed that opposition to equal pay had been reduced. She also pointed out that the ACTU had agreed to the form of the tribunal suggested by the government. The regulations were most important:

as they were a step in the right direction because for the first time the principle of equal pay was recognised. For the full job 100% must be paid and in any case not less than 60% may be paid which is an increase on 54% at present prevailing ... This Regulation 146 represented the first departure from the old method of assessing women's work and value.

Heagney maintained that the whole of the regulation was wrong: 'It commenced by setting differential rates as low as 60% of the male rate for women entering men's work, and placed the onus of proof of "equal work" on the worker to the satisfaction of the Board.' Powell was the only delegate to vote against the report's adoption.²⁸

At CAEP's June meeting, the SMWU's delegate, W.J. Curtin, reported on a letter to his union from the Prime Minister, setting out employment conditions for women replacing men. Saying that the SMWU 'regarded this as a satisfactory arrangement under war conditions,' he moved that the Council support the government in its action as specified in the letter, viz:

The Government accepts in principle the claim that where it was customary, before the war, for certain operations in industry to be carried out exclusively by male labour, that female labour employed upon such operations must be paid for at the rates prescribed by competent industrial tribunals for male labour.

²⁷ *Ibid.* (For the Labor Council debate, see NSW Labor Council Minute Book, 26/3/42, CY ML MSS 2074/24, Mitchell Library; and Authorised Report by Edgar Ross of NSW Labor Council Meeting, 26/3/42).

²⁸ *Ibid.*

The letter also stated that if the WEB decides 'that female labour can fully perform the operations customarily performed by male labour, the male rates of wages shall be paid forthwith.' But if it decides that a training period is required, or that 'through disability of sex', only part of the operations can be observed, it 'will assess the percentages of male basic wage which may be allowed to the female employee.' Debate was adjourned pending circulation of the letter to all CAEP members.²⁹ When reconsidered, it was moved: 'That in the event of employers bringing about sectionalising or division of tasks where women are employed on work formerly done by men, we demand that the women shall be paid the full male rates for the job.' The SMWU's delegate objected, urging endorsement of his union's policy, as embodied in the Prime Minister's letter. 'We should be realistic and accept the Government policy on this matter,' he said. The motion was subsequently carried.³⁰

In her report to CAEP's fifth annual meeting in July 1942, Heagney took a much more restrained, even conciliatory, tone towards the WEB. This probably reflected the Executive's desire to reconcile the differences of view that had emerged within the Council, threatening its unity. Although it was too early to give an opinion on the WEB's first decisions, the report said, it has been established:

that this method of dealing with women's wages and conditions in wartime is much more appropriate and effective than the methods of the Commonwealth Arbitration Court ... definite progress towards equal pay, equal status and equality of opportunity has been most marked since the present Federal Labor Government turned its attention to the industrial standards for women in cooperation with the trade union movement of Australia. Much remains to be done but the basis has apparently been laid for the achievement, ultimately, of economic equality for men and women.

Since the Council's inception, Heagney said, it has 'consistently advocated the elimination of sex differentials in all wages and the acceptance of the male rate for the job wherever men and women are engaged in the same or similar occupations.' As the replacement of men by women increases, 'the enforcement of this principle is proving

²⁹ Minutes of CAEP meeting, 16/6/42, and letter from Prime Minister Curtin to A. McNolty, 8/5/42, Box 1166/1, Heagney Papers, SLV.

³⁰ Minutes of CAEP meeting, 18/8/42, in *ibid.*

to be the only solution to the difficulties created by differential rates of pay.³¹ Despite her low-key approach towards the government and the WEB in the annual report, Heagney was disillusioned with Labor and union officials and pessimistic about the likely prospects for achieving equal pay. This can be seen in her comments to her friend, Alf Wallis, Clothing Trades Union general secretary:

Frankly, I have given up hope of achieving anything worth while immediately because here in Australia the Labor Movement and the ACTU executive officers are so terribly reactionary in their views on women as workers. One commences about half a mile behind the starting post in a mile race here when women are involved in any issue, and the trade union officials and Labor ministers as a rule are more difficult to deal with than many big employers of labour.³²

In late 1942 CAEP expressed its policy position towards women's wages and the WEB in its pamphlet, *Are Women Paid Men's Rates?*:

When this Board was established there was general expectation that the male rate for the job ... would be paid to women satisfactorily replacing men in wartime industry. That these hopes were not fulfilled is evident from the facts recorded in this pamphlet. The elimination of sex differentials in industrial standards remains an ideal still to be striven for in Australia ... The Council of Action for Equal Pay ... feels that the Government should give definite instructions, backed by legislation or regulation, compelling all the instrumentalities of Government to award and enforce the male rate for the job wherever women replace men in industry or services. Action should also be taken to equalise the women's base rate to the male base rate.³³

Heagney pointed out that the WEB 'began with a clean sheet upon which to write an entirely new page in Australian industrial history and with full authority to award women 100% of the male rates for equivalent work.' All concerned 'anticipated the preservation of the male rate for the job,' however, the Board has fixed equal pay in only thirteen cases.³⁴ The pamphlet presented a critique of the government's regulations and the Board's practices. The Women's Employment Act is to be welcomed as an attempt to regulate the exploitation of cheap female labour, however, it

³¹ Fifth Annual Report, submitted to CAEP annual meeting, 21/7/42, p. 1, Box E170/9/31, FIA Collection, NBAC. Heagney was re-elected unopposed at the annual meeting, with Robert Day (Rubber Workers) and Lucy Woodcock (NSW Teachers' Federation) elected joint presidents - see Minutes, fifth annual meeting, 21/7/42, Box 1166/1, Heagney Papers, SLV. They retained these positions for the remainder of CAEP's existence.

³² Letter from M. Heagney to A. Wallis, 2/7/42, Box 1168/6, Heagney Papers, SLV.

³³ *Are Women Paid Men's Rates?*, *op. cit.*, p. 2.

³⁴ *Ibid.*, p. 3. Nine of these thirteen cases were by agreement and four originated from the Board.

would be 'idle to suggest that it represents a solution to the greater problem of the adequate fixation of female wages.' The onus of definitely establishing that women should receive equal rates is placed upon the unions, rather than upon employers to establish why the females they seek to employ should be paid lower rates. It is almost a tradition for industrial tribunals to assume that 'by reason of some preconceived idea of industrial inferiority', women:

are entitled to something less than the normal occupational rate ... the implication is always, that on the basis of comparative efficiency, a woman is entitled to something less than the male rate. The illogic of this proposition is clearly exemplified when we realise that in fixing the male rate, no industrial tribunal seeks to differentiate between the comparative efficiency of one male worker against another. It is accepted as a postulate that two men may be employed on the same wage without implying equal industrial efficiency, yet this question ... is invariably raised as between male and female employee.³⁵

Although the WEB recognises 'the existence of the problem embraced in the displacement of male labour by female on the basis of exploitation of the latter,' the pamphlet goes on, it has not, as yet, 'imported any new industrial principle' which could be regarded as a solution of the problem. The unions 'are still up against the same obstacles which have always been placed in their path, and which are based more upon sex prejudice than upon a reasoned approach to the matter.' These include the Board's practice of placing the onus on unions to show that the rate fixed should be higher; also that the Board has 'apparently adopted the assumption followed by Tribunals in the past, that women in industry are, *prima facie*, less efficient than men.'

The only proper approach:

is to fix the occupational rate disregarding such industrial irrelevancies as comparative efficiency, absenteeism and the like, as between males and females in the same way as they are disregarded as between male workers.³⁶

Heagney's dismay concerning the basis of the WEB regulations and the Board's decisions of less than 100%, can be seen from her personal correspondence with friends and union colleagues. As well, by late 1942, she was apprehensive about what she saw

³⁵ *Ibid.*, p. 8.

³⁶ *Ibid.*

as a tendency by some unions to 'cave in' to the Board and accept the lower rate. Her concerns about a weakening of a united union position on equal pay, were expressed in a letter to Joe Cranwell, AEU Commonwealth Council Chairman:

I have formed the opinion that there is a division growing within the trade union movement on the question of equal pay, some of the large unions involved in munition work being prepared to capitulate and take anything offered them by the Women's Employment Board, whilst others, realising the inherent danger to all wage standards in differentials based on sex where women are replacing men, are standing out for the full male rate for the job.³⁷

Heagney was scathing about the behaviour of Judge Foster and other Board members.

'My impression of the Board's public sittings,' she said, is they:

are merely "pro forma" because the members take very little part in the proceedings and the Judge keeps snapping everyone's head off especially when opinions apart from the amount of work anticipated from females is touched upon. One man in the Court last week facetiously said they looked like a row of owls with a jumping jack in the middle; and this about sums up the public appearances of this arbitrary group of legal functionaries.³⁸

'Every statement made by Foster emphasises sex differentials,' Heagney wrote to a friend, May Brodney, 'and I feel that he has not the slightest conception of the meaning of economic equality for men and women.' The unions in this state:

have been indignant at the treatment meted out to them by him as Chairman and it was only the widespread knowledge of the pending action by the employers and the Senators (U.A.P.) that kept them from voicing protests.

She also believed that the Board members have 'been more backward than the [Labor] Party throughout the whole business and have gained nothing from all their laboured compromises.' She had been given to understand 'that the threat of an application by the employers for a reduction in the male base rate was an influential factor in deciding 90% instead of 100%.'³⁹

Heagney was especially critical that the regulations did not provide for the full male rate to be fixed at the outset, with the employers then having to argue their case for a reduction. As she told the left-wing Victorian Labor MP, Maurice Blackburn, the regulation:

³⁷ Letter from M. Heagney to J. Cranwell, 30/8/42, Box 1168/7, Heagney Papers, SLV.

³⁸ *Ibid.*

³⁹ Letters from M. Heagney to M. Brodney, 25/9/42 and 29/7/42, Folder 18, Box 7, MS 19882, A.T. and M. Brodney Papers, La Trobe Library, SLV.

was badly drawn in placing the obligation of [sic] the Board to determine the percentage of the male rate to be paid to women replacing men; it should have been reversed and the full male rate made operative at the entry of the women and the onus of proof of lower productivity placed on the employer in exact terms covering average workers including both sexes at a given time.⁴⁰

Blackburn replied that he also believed that the male rate 'should have been made payable until a lower rate was fixed.'⁴¹ In late 1942 CAEP lobbied Federal MPs from both parties seeking an amendment to the Women's Employment Bill, to place the onus of proof of women's equal productivity onto the employers rather than the unions. It urged this change in a telegram read to the House by Arthur Calwell, and also appealed directly to the Attorney-General to embody it in the reframed regulations, as at present the employer is given 'an undue advantage over the worker in the "proof" required by the Board.'⁴² In January 1943 Heagney also conveyed CAEP's concerns about the WEB's decisions to several Federal MPs. One letter said that the Board:

has been a great disappointment to all concerned, and neither the employers or the workers can understand how it has stuck at 90% of the male rate when there has been general acceptance of the principle of equal pay by all sections of the community and by a majority of the Federal Parliament.⁴³

We see 'little hope of satisfactory arrangements for the employment of women in war industries,' said another, until the Board's procedure is simplified 'to make possible the complete elimination of sex differentials and the substitution of occupational rates based on the nature of the job irrespective of the sex of the worker.'⁴⁴

Heagney rejected the view that the WEB's 90% rate should be accepted as being an advance on the prevailing female standard and a positive step towards equal pay. Her major objection was not so much to the actual percentage awarded, but to the reasoning behind the Board's decisions, which denied the principle that women had a right to receive the same wage as men on the basis of a rate for the job payable to any worker

⁴⁰ Letter from M. Heagney to M. Blackburn, 31/8/42, Box 1168/7, Heagney Papers, SLV.

⁴¹ Letter from M. Blackburn to M. Heagney, 2/9/42, in *ibid.*

⁴² Telegram to Federal MPs and letter to H.V. Evatt, Attorney-General, enclosed with CAEP letter to United Associations of Women, 12/10/42, 'Equal Pay Vol. III', ML MSS 2160, UAW Papers.

⁴³ Letter from M. Heagney to Senator Collings, Minister for the Interior, 12/1/43, Box 1169/1, Heagney Papers, SLV.

⁴⁴ Letter from M. Heagney to A.A. Calwell, MP, 14/1/43, in *ibid.* See also, letter to Prime Minister J. Curtin, 14/1/43 in *ibid.*

performing it. To her, the Board's practice of 'comparative efficiency', i.e. assessing women's productivity as less than men's because of sex-based characteristics, represented a belief that women are inherently inferior to male workers. As she put it, 'the 90% is no more equitable than 54% since it is based on a sex differential grounded in prejudice and tradition and is quite iniquitous.'⁴⁵ And in a letter to a Western Australian Labor colleague, she derided the futility of the WEB's 'opportunistic course'. Before the regulations were promulgated, she said, CAEP 'strongly opposed the setting up of standards based on "equal pay for equal work" with the onus of proof on the workers':

and events of the past few months have proved how right we were in demanding that the rate should be fixed on the job and that proof of inequality should rest on the employer if this question were permitted to arise at all. The WEB adopted an opportunistic course by fixing the women's rate for equivalent male jobs at 90% of the male rate in the hope of placating the employers. How futile this has been is evident as the employers are not concerned with the meagre difference of the 10% differential but are fighting desperately to retain for all women workers the wider difference that prevailed between male and female rates ranging from 50% to 20% less than male rates.⁴⁶

The differences within CAEP over its attitude towards the WEB came to a head during 1943, with a dissident faction challenging the majority view, as well as Heagney's dominant role within the organisation and as its main public voice. This group included several communist-led or influenced unions - especially the Ironworkers (FIA), which now incorporated the former Munition Workers, the Sheet Metal Workers (SMWU) and the NSW Clerks' Union. By the end of the year the Council was still intact despite some significant withdrawals; however, its influence within the labour movement had waned considerably and the active participation of union delegates had declined. This was not so much due to the internal dissent, as to the fact that with the battle over the WEB's decisions being virtually over, there had been a drop-off in interest in equal pay from unions covering male industries. And whilst the focus had shifted to the situation in traditional female industries, there was little expectation or

⁴⁵ Letter from M. Heagney to L. Wickham, Secretary, AEU Commonwealth Council, 4/1/43, in *ibid.*

⁴⁶ Letter from M. Heagney to E.H. Hooton, Secretary, W.A. Labor Women's Central Executive, 31/3/43, in *ibid.*

agitation about the possibility of being able to gain equal pay for the majority of low-paid women workers during the war.

The conflict in CAEP was sparked off early in the year over its attitude towards the emergence in Sydney of a new group advocating equal pay, the Council for Women in War Work, formed by the United Associations of Women.⁴⁷ The CWWW was chaired by prominent UAW member and barrister, Nerida Cohen, who was then the WEB's NSW secretary.⁴⁸ Muriel Heagney was immediately antagonistic towards the new body and suspicious of its connection with the UAW, 'whose policy is diametrically opposed' to that of CAEP. It was 'advocating a policy of women entering industry first and fixing rates and conditions of employment later,' she claimed.⁴⁹ CAEP advised unions that the CWWW endorsed the WEB's decisions of 66-90% of the male rate and was resuscitating the UAW's 'gradualistic' position in opposition to trade union policy. They were warned to 'watch the development' of this new Council, 'so that its potential danger in revivifying defunct feminist policies may be checked at the outset.'⁵⁰ The SMWU's delegate, Doris Beeby, 'deplored the attitude of hostility' shown towards the new body which, she said, was not supporting a gradualist policy or the 90% WEB rate, nor cutting across CAEP's activities.⁵¹ In addressing the NSW Labor Council on the subject, Heagney appealed for its continued support of CAEP:

as the only body officially recognised as an organisation specialising in equal pay matters, otherwise a position might arise when both organisations speaking for the trade unions would be advocating opposing policies.

The Rubber Workers' delegate, W.J. Baird, moved that Council reaffirm its support and declare CAEP 'to be the only organisation representing women's claim for equal pay.' According to Heagney's report of the meeting, the SMWU's NSW secretary, Tom Wright, accused CAEP of indirectly attacking the WEB, 'whose decisions should not

⁴⁷ The United Associations formed the Council in Sydney in late 1942, on the suggestion of the Melbourne CWWW, by changing the name of its Like Conditions of Work committee - see UAW 'Annual Report, 1942', p. 3, UAW Papers, ML MS 2160.

⁴⁸ See Johnson, *op. cit.*, p. 145.

⁴⁹ Minutes of CAEP meeting, 16/2/43, Box 1166/1, Heagney Papers, SLV.

⁵⁰ CAEP letter to Trade Unions, 24/2/43, p. 156, in *ibid.*

⁵¹ Minutes of CAEP meeting, 16/3/43, in *ibid.*

be questioned at the present time when the employers were attacking the Board.' The FIA's general secretary, Ernie Thornton, then successfully moved that the Labor Council Executive call a conference between CAEP and the CWWW to try to find a basis of co-operation.⁵² Heagney later wrote to a Labor colleague that the two 'Commo' leaders had 'castigated me for daring to persist in our policy of the rate for the job and an equal base rate' in all occupations.⁵³

In June 1943, Heagney's continuing position as secretary was challenged, when a NSW Clerks' Union delegate questioned her status in the Council as she no longer represented a union. (Heagney had been the Clerks' Union delegate since 1937, until being replaced in April 1943).⁵⁴ Heagney explained that her replacement had followed a report to the union's Central Council by her co-delegate prior to April, Carmen Coleman, in which she had objected to certain statements by CAEP as being contrary to the union's policy.⁵⁵ Coleman's report described the WEB's establishment as 'a tremendous advance on anything yet done to cover the question of women's employment and remuneration.' But judging by the type of matter printed by CAEP, it 'is not an improvement, and the purist attitude adopted by the Council appears to be unreal.' It would appear that, 'hampered by a Utopian ideology, the Council is unable to recognise any of the advances that have been made in the employment of women in industry, as they are not always 100%.⁵⁶ In contrast, Heagney's report to the union's Council meeting presented a positive picture of CAEP's activities and the continuing agitation for equal pay by some unions. She did acknowledge that the 'turmoil and confusion' regarding women's rates 'has led to conflict of opinion regarding the advocacy of 100% at this juncture,' with the FIA and SMWU 'stressing the 90%

⁵² Minutes of NSW Labor Council meeting, 25/3/43, CY ML MSS 2074/25; and Report by Muriel Heagney to CAEP meeting, 20/4/43, p. 158, Box 1166/1, Heagney Papers, SLV.

⁵³ Letter from M. Heagney to E.H. Hooton, *op. cit.*

⁵⁴ The question was clearly a 'kite-flying' exercise, as the secretary would hold office until the next Annual General Meeting in July (when Heagney was re-elected unopposed).

⁵⁵ Minutes of CAEP meeting, 15/6/43, Box 1166/1, Heagney Papers, SLV. (At this time, Coleman was a Communist Party member - see article by her in *Communist Review* [hereafter CR], March 1943, pp. 28-9).

⁵⁶ Report by C. Coleman to Federated Clerks' Union, NSW Branch Central Council Meeting, 17-18/4/43, Box 1169/1, Heagney Papers, SLV.

awards of the WEB and opposing demands for the 100% of the male rate sponsored by other unions.’ However, the majority vote at all CAEP meetings has been overwhelmingly in favour of ‘persistent agitation for the immediate application of the rate for the job and the elimination of sex differentials from industrial standards.’⁵⁷

It was indicative of the open expression of differences at the June meeting, that both Heagney and Coleman were nominated to speak at a meeting of women Ironworkers’ delegates, with Heagney being elected by 12 votes to 7.⁵⁸ It was unprecedented for the secretary to be opposed as the Council’s representative at an outside meeting. In letters to several unions urging their attendance at the July annual meeting, Heagney commented on the policy divisions. The ‘minority opinion on the Council is breeding dissension and weakening our activities,’ she admitted. This minority group is:

endeavouring to seek a more “realistic” policy than the “rate for the job”, which boiled down means the acceptance of a policy of “gradualism” and payment by results interpreted in terms of 80% or 90% of the male rate.⁵⁹

CAEP’s sixth annual report in July 1943 was again muted concerning the WEB, with its only critical comment being that ‘we would have been happier had the WEB gone “the limit” and fixed the full male rate’, rather than 90%, for women in war industries. However, we are ‘deeply appreciative of the marked progress thus achieved in legal standards for women’s wages,’ which represents ‘many “steps” along the path to complete equality’ in wage rates.⁶⁰ The report noted that there has been much controversy over the WEB during the past year and that in some circles, the Council has been adversely criticised because of statements about the Board. There has been ‘considerable distortion and misrepresentation’ of CAEP’s attitude on this subject, ‘which might have resulted in a division in the ranks of our supporters. So far this has

⁵⁷ Report by M. Heagney to the same meeting, in *ibid*.

⁵⁸ Minutes of CAEP meeting, 15/6/43, Box 1166/1, Heagney Papers, SLV.

⁵⁹ Letters from M. Heagney to the Acting State Secretary, Australian Railways Union, NSW Branch, 11/7/43; F.P. Buckley, Secretary, NSW Hairdressers’ and Wigmakers’ Union, 3/7/43; and A.E. Woods, Secretary, NSW Railway and Tramway Officers’ Association, 3/7/43, Box 1169/2, Heagney Papers, SLV.

⁶⁰ Sixth Annual Report presented to CAEP Annual Meeting, 20/7/43, p. 6, Box 1166/1, Heagney Papers, SLV.

not occurred.’⁶¹ Whilst it is true that there had not been an open division resulting in a split, nevertheless, sharp differences had been growing within the Council’s ranks for some months. They had been contained, however, as they mainly stemmed from a minority of pro-communist delegates and some others, who had become disaffected by Heagney’s refusal to accept the WEB’s 90% award as being the best result achievable, as well as her mistrust of groups outside CAEP which also supported equal pay. The dissent was never strong enough to pose any real threat of a split; rather, the dwindling affiliations and participation from late 1943 onwards reflected a general decline in union interest about equal pay. The minutes do not record any conflict occurring at the annual meeting, though Heagney later noted that ‘the “Commos” made another attempt to capture the Council,’ but were frustrated.⁶²

The policy differences erupted at the September meeting when Carmen Coleman reported on the current situation concerning the WEB. ‘We must be constructive and not negative in our approach to this question,’ she said. The regulations and legislation setting up the Board ‘might not have been perfect but they were the best that could be expected of the Curtin Government in the circumstances’, which included its lack of a majority in both Houses. Even with Labor’s election win, the Senate would still be evenly balanced until June 1944. Coleman objected to the WEB being called “a 90% Board”, saying the unions had gone all out for 100%. She stressed the ‘insuperable difficulties’ in the way of securing implementation of CAEP’s policy and recommended support for the WEB’s restoration as previously constituted. The Australian Teachers’ Federation delegate opposed adoption of the report, because the Council should not give ‘unqualified approval’ to the reconstitution of a body that legislates for only one section of women. That view was also taken by CAEP joint president, Lucy Woodcock, from the NSW Teachers’ Federation. The SMWU

⁶¹ Sixth Annual Report, Part II, p. 182, in *ibid*.

⁶² Confidential letter from M. Heagney to J. Curtin, 22/7/43, Box 1169/2, Heagney Papers, SLV.

delegate, however, said that the proper course for unions to take is to support the Board's restoration and then to immediately apply for the 100% rate.⁶³

Heagney opposed adoption of the report's recommendations on the grounds that they conflicted with CAEP's policy. She moved an amendment calling on the government to regulate to ensure the elimination of sex differentials and the equalising of all wage rates. The report should be opposed because 'negotiations for better methods of dealing with women in industry were precluded if the status quo of the WEB is restored; [and] it is wrong to assume that only women replacing men or engaged on new work are entitled to equal pay during the war.' We 'should not go after sunbeams,' the Public Service Association delegate said in supporting the Board's reinstatement. The chairman ruled the motion for the report's adoption out of order, as it conflicted with CAEP's policy; his ruling was eventually upheld by 12 votes to 9. A motion endorsing the policy of equality of the sexes and asking the government to reconstitute the WEB was carried, as was Heagney's resolution calling on the government to regulate for equal pay.⁶⁴

Compared to CAEP's high point of mid-1942, there was a marked decline in union participation from 1944 onwards. Four unions which had previously been affiliated - the SMWU, FIA, Clerks and the Hotel, Club and Restaurant Employees - did not attend a conference held in March 1944;⁶⁵ at least one of these, the SMWU, had recently discontinued its affiliation.⁶⁶ Heagney later reported that opposition to CAEP had been reflected in some withdrawals, but this 'was more than compensated' by other important organisations attending for the first time, including the AEU.⁶⁷ Twenty-four unions sent delegates on that occasion,⁶⁸ but the representation had dropped to twelve

⁶³ Minutes of CAEP meeting, 21/9/43, Minute Book 1943-47, Box 1166/2, Heagney Papers, SLV.

⁶⁴ *Ibid.*

⁶⁵ Minutes of 'Fourth Conference on Women and Children in Industry in Wartime', 18/3/44, CAEP Minute Book, in *ibid.*

⁶⁶ Minutes of General Meeting, NSW Branch, Sheet Metal Workers' Union, 10/2/44, Box E196/2/3, SMWU Collection, NBAC.

⁶⁷ Minutes of CAEP meeting, 18/4/44, Box 1166/2, Heagney Papers, SLV.

⁶⁸ Report to CAEP Seventh Annual Meeting, 18/7/44, in *ibid.*

by the seventh annual meeting in July.⁶⁹ The March conference report also noted that criticisms of CAEP had come 'mainly by the Communist and Feminist organisations', because it refused to adopt an uncritical action towards the WEB, 'which in our opinion is strengthening the sex differentials in wage systems despite the material improvement in women's wages and opportunities' accruing from its decisions. The report took issue with the WEB regarding the principles embodied in its decisions; for example, the Board's statement in its Metal Trades judgement concerning the relations of the sexes, viz.:

The sexes are not equal - heaven forbid - but their respective contributions in the scheme of things, though different, are not so very unequal, and who shall say which sex weighs down the scale.

'To this we reply that the WEB by its decisions has weighted the scale against the women workers of Australia.'⁷⁰

This report was obviously framed as a response to critics of CAEP's stand on the WEB. It warned about the longer-term dangers arising from the Board's performance and decisions:

The essential danger in the WEB is its tendency to make dogmatic statements and incorporating them in legal documents which may have unexpected repercussions and which conflict with the time-honoured and traditional policies of the Trade Unions and Political Labour Movements. At the same time there is a demand on trade unionists for non-critical acceptance of every decision of the WEB. The tendency to demand allegiance to the WEB from all who have received a benefit approximates to the worship of the "Golden Calf" in the wilderness which should be deplored.⁷¹

The report also slammed the Board's decision to fix 90% in the munitions industry, 'ostensibly because productive efficiency was relatively lower than for men' despite abundant evidence to the contrary, as well as the heavy weighting given to other factors to justify the retention of sex differentials. Deductions from women's wage rates because of absenteeism cannot be reconciled with any accepted principle of wage

⁶⁹ Minutes of Seventh Annual Meeting, 18/7/44, in *ibid.*

⁷⁰ Report to 'Fourth Conference on Women and Children', 18/3/44, pp. 4, 5, Box 1169/7(c), Heagney Papers, SLV.

⁷¹ *Ibid.*, p. 5.

fixation, it said, adding that 'the many have been unjustly fined heavily for the sins of the few.'⁷²

CAEP's eighth annual meeting in August 1945 reaffirmed the need for the Council to continue producing further materials restating the equal pay case. As joint president, Robert Day, said: 'Our job is to intensify propaganda rather than to drop it because so many people think that the battle for equal pay has been won.'⁷³ That year's annual report was decidedly pessimistic, in reflecting on what it called the 'most disheartening year' since CAEP's formation in 1937. It pointed out that the major problem relating to women's wage rates again centres on the traditional women's industries, where the standard female rate remains at about half the male rate for work of equal value. As for earlier expectations for women's advancement and the achievement of equal pay during the war, the report gloomily noted that:

The "avalanche" of woman power crashing down on the predominantly male employing industries that appeared so formidable in 1942 has proved merely a giant snowball that is fast disappearing under the early morning rays of the post-war sun ... The Women's Employment Board has passed into the limbo of forgotten dreams leaving little of permanent value to mark its period of exceptional opportunity.⁷⁴

In late 1946 CAEP called a special conference to discuss ongoing action and the most suitable forms of organisation. Heagney had proposed consideration of a constituted authority within the union movement, which would 'specialise on questions of wages, training, placement, status, organisation and representation of women in trade unions.' It seems that the writing was on the wall for the Council of Action as a single-issue propaganda group focused only on equal pay for the sexes; a wider agenda and a more solidly based organisational structure in the unions was now required to better promote the needs of women workers. However, the conference resolved that CAEP should carry on as presently constituted, whilst also calling on delegates to the NSW Labor

⁷² *Ibid.*, p. 6.

⁷³ Minutes of CAEP Eighth Annual Meeting, 1/8/45, Box 1166/2, Heagney Papers, SLV.

⁷⁴ Report to Eighth Annual Meeting in *ibid.*

Council to urge immediate action to secure implementation of equal rates for all workers.⁷⁵

It was another year before the Council quietly 'closed up shop', with its activities being absorbed into a new organisation - the Trade Union Equal Pay Committee, which was formed at a conference of 19 unions called by the NSW Labor Council in August 1947. Its nine-point policy included: 'male basic wage to be the general basic wage regardless of sex'; 'equal pay for the job for men and women'; and that as a first step to equal pay, all unions 'endeavour to obtain 75% of the corresponding male rate or the minimum adult male rate plus full margins, whichever is suited to the industry.'⁷⁶ These policy points were adopted a few weeks later by the ACTU Congress.⁷⁷ In October CAEP resolved to take action to bring together the Trade Union Equal Pay Committee, the Council of Action, and a further committee set up by Jessie Street in late 1946, to discuss 'common policy and action'.⁷⁸ CAEP was apparently dissolved soon after, although there is no formal decision to this effect in the notes from its last recorded meeting on 18 November 1947.

The United Associations of Women and Equal Pay:

The middle-class feminist organisation, the United Associations of Women, had a high public profile during the war regarding women's equality and equal pay. Led by its President, Jessie Street, it had been campaigning for legal and civil gains for women since its formation in late 1929. One of its aims was the securing of 'equal pay for

⁷⁵ Minutes of CAEP Special Conference on Current Unequal Rates for Women, 18/11/46, and Information Notes for Delegates by Muriel Heagney, pp. 133-40, in *ibid.*

⁷⁶ Secretary's Report to CAEP Tenth Annual Meeting, 16/9/47, pp. 4-5, in *ibid.* See also: Letter to unions from J.D. Kenny, Acting Secretary, NSW Labor Council, 21/8/47, setting out the nine-point program, Box E196/3/22/2, SMWU Collection, NBAC.

⁷⁷ Minutes of ACTU Congress, 5/9/47, Box N33/19, SMWU Collection, NBAC.

⁷⁸ Minutes of CAEP meeting, 21/10/47, Box 1166/2, Heagney Papers, SLV.

equal work, and equality for men and women in all laws, rules and regulations.’⁷⁹ During the 1930s the UAW advanced four different policies on equal pay, and unsuccessfully attempted to advocate its fourth policy in the Arbitration Court’s 1940 Federal Basic Wage Inquiry.⁸⁰ Termed the ‘Five Year Plan for Equal Pay’, it envisaged the female wage being fixed by legislation at 60% of the male basic wage, with 2% quarterly increases until equality was attained.⁸¹ Apart from the personal antagonism between Jessie Street and Muriel Heagney, this ‘gradualist’ policy was at the core of the differences between the UAW and the Council of Action for Equal Pay, culminating in its withdrawal from CAEP in 1940. There was no divergence of views, however, about the wages of women entering men’s jobs during the war, with both bodies advocating that women war workers should receive the same pay rates as men. The UAW’s policy was formulated in mid-1940:

when women are taken on for any work hitherto performed by men, either because of the enlistment of male employees or because of the shortage of men resulting from war time needs, that women shall be engaged under the same conditions and awards as govern such work at the time, and that the policy of equal pay and equal opportunity for men and women shall be generally adopted throughout these occupations.⁸²

The UAW urged trade unions with women members to support this policy and to take action to ensure ‘that employers do not engage women to replace men unless the women are given equal pay.’ It was represented at a NSW Labor Council conference in October 1941, which resolved to ‘seek the co-operation of trade unions and women’s organisations in support of the employment of women in industry at the same rates and under the same conditions as males.’⁸³

In early 1942, shortly before the WEB’s establishment, Jessie Street and vice-president, Erna Keighley, put their views about the wages of women war workers to the Munitions Minister, Norman Makin. According to the UAW’s annual report, they

⁷⁹ Winifred Mitchell, *50 Years of Feminist Achievement: A History of the United Associations of Women*, Sydney: United Associations of Women, n.d. [1979], pp. 3, 7.

⁸⁰ See Chapter Three, p. 98.

⁸¹ *How to Achieve Equal Pay. Incorporating A Five Year Plan For Equal Pay*, Pamphlet No. 8, Sydney: United Associations of Women, n.d., Box 1165/2, Heagney Papers, SLV.

⁸² UAW Annual Report, 1940.

⁸³ UAW Annual Report, 1941.

were informed of the planned regulations to bring into effect the government's policy that women would be paid not less than 60% of the male rate on employment, with increases up to 100% when the new tribunal was satisfied they were doing 100% of the work that men do. The UAW has reason to be 'proud and happy' about the WEB's establishment, the report said. 'We have worked hard and long at the task of gaining equal pay for equal work and we now seem to be within sight of our objective.' The government was congratulated for setting up the Board:

which we believe will give great satisfaction to all women's organisations. It is the first practical means of comparing the amount of work done by men and women that has been provided in Australia, and the first practical opportunity of gaining equal pay for men and women.

It was recognised that many anomalies and injustices remained to be rectified.⁸⁴

Although the issue of equal pay for women in industry and in the Services was a major concern for the UAW, its policies and interests covered a much wider agenda. During the war, it also campaigned for a range of measures to improve women's situation, such as canteens in factories and schools, greater representation of women on government boards and advisory bodies, and the provision of creches, kindergartens and playgrounds for the children of working women. These and other issues were considered at a conference on 'Problems Concerning Women under War Conditions' held by the UAW in August 1942, which decided to organise a large-scale national women's gathering to discuss post-war reconstruction problems affecting women and children.⁸⁵ This ambitious project took a year to organise, involving consultation with a wide range of women's and community groups throughout the country. The 'Australian Women's Conference for Victory in War and Victory in Peace', which became known as the first Charter Conference, was held in November 1943. It brought together 200 delegates from 90 organisations, including major national women's groups, trade unions, community and political groups. Its resolutions were incorporated into an Australian Woman's Charter, which was presented to the Prime Minister in

⁸⁴ UAW Annual Report, 1942, and Mitchell, *op. cit.*, pp. 27-8.

⁸⁵ *Ibid.*, and Mitchell, *op. cit.*, p. 32.

March 1944. The Charter covered women in public life, the home, the Services and the workforce, equal status and opportunity, equal pay, health, education, housing, child care and several other issues.⁸⁶ (A second Charter Conference was held in 1946, with the organising committee again being chaired by Jessie Street.⁸⁷)

The conference recorded its appreciation of the Curtin Government's action in appointing the WEB 'to assess the value and standard of women's work as compared with the work of men, thus for the first time affording women the opportunity to justify their claim for equal pay.' It urged the government to pass the necessary legislation or regulation to direct the Board 'to proceed immediately with the complete elimination of sex differentiation in all wage rates for women coming within its jurisdiction,' as the evidence has shown that women 'have earned the right to equal pay and equal opportunity.' Also, to legislate to provide for the female basic wage to be the same as that for males.⁸⁸ The UAW, as well as other organisations represented at the conference, clearly welcomed the WEB and its decisions as being a great advance on the normal low female rate and as a positive step towards equal pay. And although it called on the government to proceed with implementation of equal pay, it did not publicly criticise the Board for awarding less than the full male rate on the grounds of women's lower efficiency and productivity. In a paper to the conference, Nerida Cohen, prominent UAW member and chairman of the NSW Council for Women in War Work, said that the institution of the WEB has 'made history not only in the Women's Movement, but also in the Industrial life of the Commonwealth':

For the first time in the history of Australian industry, women's wages are being assessed on the value of their work, instead of on some hypothetical needs or family responsibilities ... efficiency and productivity have, for the first time, been the deciding factors in assessing female wages. The result has been that instead of the 54% or thereabouts of the male wage which has been the rule

⁸⁶ *Australian Woman's Charter 1943, comprising Resolutions adopted by the Australian Women's Conference for Victory in War and Victory in Peace, November 19-22, 1943*, 22-pp. pamphlet, n.p., A.K. Murray & Co., Paddington (Printers), n.d. [1943], Box 1163/5(a), Heagney Papers, SLV.

⁸⁷ *Australian Woman's Charter 1946-1949, comprising Resolutions adopted by the Australian Woman's Charter Conference, August 4-11, 1946*, 32-pp. pamphlet, Sydney: A.W.C. Committee, n.d. [1946]; Box 4, MS 2683, Jessie Street Papers, National Library of Australia.

⁸⁸ *Australian Woman's Charter 1943, op. cit.*, pp. 7-8.

regarding female wages, we now find women receiving from 80% to 100% of the wage which was being paid to the men whom they have replaced.⁸⁹

Although CAEP was not represented at the conference, Muriel Heagney attended as a delegate from the Amalgamated Engineering Union, for whom she was then working as a women's organiser. She later reported to the union that whilst the conference served a useful purpose in focusing attention on important matters, the Australian Woman's Charter was 'too diffuse, indefinite and contradictory' for the purpose it was intended to serve, as well as being 'too belligerently feministic'. Planning for women 'as separate social entities' is unrealistic; rather, female and male workers should be regarded 'as interdependent social units who should both be covered by a Workers' Charter', which would ensure equal rights for all workers without any differentiation on the basis of age, sex, race or conjugal condition. Heagney and her co-delegates tried to amend the conference resolution on the WEB, by deleting the reference to assessing the value and standard of women's work as compared to men. Whilst that attempt failed, they successfully moved the clause calling on the government to direct the Board 'to proceed immediately for the complete elimination of sex differentiation' in its wage rates. However, they believed that the final resolution was contradictory:

as there can be no equality between the sexes so long as the WEB continues to assess wage values and rates for women doing men's work on a different basis to that of other men and women by taking nominal productive efficiency as the basis for all WEB rates.⁹⁰

The Communist Party of Australia:

The CPA's support for women's maximum involvement in the industrial workforce during the war and for equal pay, was in accord with its long-standing policy of

⁸⁹ Nerida J. Cohen, 'Scope and Limitations of the Women's Employment Board', Address to 1943 Australian Women's Conference, quoted in Megan McMurchy, *et. al.*, *For Love Or Money: A Pictorial History of Women and Work in Australia*, Ringwood: Penguin, 1983, p. 120.

⁹⁰ 'Report to [AEU] Commonwealth Council by the Delegation to the Australian Women's Conference, November 1943', Box 1159/4(b), Heagney Papers, SLV.

encouraging women's participation in production as an essential step to achieving their economic independence and equality. It also fitted in with the Party's total commitment to the 'People's War Against Fascism' and to Australia's war effort, following the Nazi attack on the Soviet Union in mid-1941. There was no question that the communists would fully support the Curtin Government's plans to utilise female labour to replace men in war-production jobs. 'Everything for the War Effort' was the CPA's slogan, as its members in the unions and workshops urged workers to work harder and longer in order to lift war-production levels, and to ban strikes or other industrial action unless absolutely necessary. Also, to accept a range of measures that overturned traditional union practices, including women as equal co-workers and unionists receiving the same pay rates as men. Because the CPA was still illegal throughout 1942,⁹¹ it could not operate openly in its own name and its publications were restricted; thus, its published views concerning equal pay and the WEB during this year are rather sparse. In the industrial arena, however, the party's policies on these issues can be gauged through the statements and actions of communist trade union officials in several key unions, particularly Ernie Thornton and Jack McPhillips of the Ironworkers and Tom Wright of the Sheet Metal Workers.

In February 1942 the CPA called for equal pay for equal work, saying that 'at the very least women taking over men's positions due to war reorganisation should be paid at the rate of the men they replace.'⁹² In July it welcomed the government's decision that women munition workers reaching the same output as men would receive the same pay, as 'a most progressive step.' The time has come when the principle of equal pay for the same work classification, 'should cover the whole field of production, without exception.'⁹³ The Party declared that equal pay 'not only prevents the super exploitation of women, it also prevents big business from using our working women to

⁹¹ The ban on the CPA, imposed by the former Menzies Government in June 1940, was lifted by the Curtin Government in December 1942.

⁹² *Tribune*, 11/2/42, p. 4.

⁹³ R.D. [probably the CPA's assistant general secretary, Richard Dixon], 'Women and the War', *CR*, July 1942, p. 10.

break down traditional living standards so that our soldiers will be forced to accept the lower women's wage after the war is over.'⁹⁴ In late 1942 a pamphlet issued by the NSW Legal Rights Committee (a 'front' organisation for the illegal CPA), amplified the Party's views on the subject. Whilst the WEB's decisions to date 'do not grant all that has been sought by way of equal pay for the same job, they have been very favourable and a considerable advance over the rates previously paid to women for similar work.' Despite the attacks by big business and UAP members, the Board 'will assist in mobilising thousands more women workers for war industries.'⁹⁵

It should be stressed that the CPA's policies on a range of political, industrial and economic issues during the war, and especially through 1942-3, were shaped by its strategy of total support for the anti-fascist war. Thus, issues were assessed on the extent to which they assisted or hindered the Curtin government's task of gaining widespread public support for the war effort, including the union movement's co-operation in achieving maximum utilisation of female labour in industry. The Party's views on women's wages and the WEB could be summarised as: support for equal pay in principle; support for the government's action in establishing the WEB in response to union demands for women employed in men's jobs to receive male pay rates; defence of the WEB against the conservative campaign to sabotage it; and support for unions' efforts in initially seeking the 100% male rate and then gaining the 90% award for the maximum number of women workers. Finally, whilst the CPA continued to advocate women's right to full equal pay, it was reluctant to openly criticise the WEB's 90% standard rate, which it regarded as being the best result possible under all the circumstances. This position was reflected in a 1944 pamphlet presenting a positive picture of the WEB, with no criticism of the fact that the majority of women coming

⁹⁴ *Ibid.*, 30/9/42, p. 4; 7/10/42, p. 2.

⁹⁵ *Women For Victory*, 22-pp. pamphlet with Foreword by J.B. Miles, CPA general secretary, Sydney: N.S.W. Legal Rights Committee, n.d. [1942], p. 20. Several necessary measures to help rally women for the anti-fascist cause were listed, including: provision of technical training to enable women to take over some of the more skilled factory operations; provision of canteens, nurseries and kindergartens; special short shifts (i.e. part-time work) for married women; and full unionisation of women to enable them to share in the administration of unions and shop committees.

under its jurisdiction did not receive equal pay. The Board's decisions have resulted in some 100,000 women receiving wages ranging from 80-100% of male pay rates, it noted. Also, that its new method of assessing women's wages based on relative productivity, 'while not in line with the principle of the "same rate for the job," nevertheless brought about the biggest advance in women's wages yet achieved in this country.'⁹⁶ The situation of the vast majority of women workers who receive about half the male wage, was condemned. Women's wages should be revised to establish the principle of the rate for the job regardless of sex, and women workers outside the WEB's jurisdiction should receive no less than the minimum adult male rate for the particular industry.⁹⁷

In a report to the CPA's 13th National Congress in March 1943, the FIA's general secretary, Ernie Thornton,⁹⁸ summarised the communists' strategy concerning women's wages and the WEB. 'We attempted to get the government to frame the initial Women's Employment Regulations to cover all women in industry,' he said:

We were not able to get the government to do that, so we satisfied ourselves with the extent to which the regulations cover ... women who replaced men or did jobs on which men formerly worked or jobs which were not done in Australia before. [We] deliberately set out to spread the 90% rate which we then got over the maximum number of women workers, and to make the second round of the fight to bring all the other women in industry up to that 90% rate. We knew the situation was going to develop where many women workers would consider they were in an unjust position by not getting the 90% rate ... we quite definitely planned for it ... Our job at the present time is to spread the 90% over the greatest possible number of women, make the position if we can, that the majority of women are getting the 90% and present the government with a situation they will not be able to resist and demand that the 90% and eventually 100% rates, be extended to all women.⁹⁹

⁹⁶ *A New Deal For Women*, Communist Programme Series No. 4, Sydney: Australian Communist Party, n.d. [1944], pp. 8-9.

⁹⁷ *Ibid.*, pp. 31-2.

⁹⁸ At this time, Thornton was a member of the CPA's top body, its 10-man Political Committee (formerly called the Central Executive). He was elected general secretary of the Federated Ironworkers' Association in 1936.

⁹⁹ Minutes of CPA 13th Congress, 19-22/3/43, Box 1 (CY 3096), MSS 5021, Add-on 1936, Communist Party of Australia Archives, Mitchell Library.

His fellow FIA official, Jack McPhillips,¹⁰⁰ maintained that the communists in the unions 'have done most, if not all the work,' concerning the struggle for increased wage rates for women, 'not only in appearing before the WEB in support of claims, but also by keeping the Board in existence.' He went on:

We have not been the most loud-mouthed in our declarations that we would accept nothing but equal pay. We have not been the most loud-mouthed in our declarations about women in industry being a danger to men and to conditions. That we have very wisely left to the loud-mouthed people. However, we have played a very prominent part in connection with wage rates for women.¹⁰¹

The most comprehensive account of the CPA's views was given by Tom Wright of the SMWU.¹⁰² He outlined the history of the WEB, the unions' efforts to gain the highest possible rates for women and the employers' attempts to destroy the Board. He also explained the CPA's policy regarding acceptance of the 90% rate in the metal industry, as well as its antagonism towards Muriel Heagney and others in CAEP for their attacks on the Board's failure to award equal pay. His speech (with some significant omissions) was later published in the *Communist Review*, indicating the importance the Party placed on it as a public record of its views about the WEB and women's wages.¹⁰³ 'Our policy in relation to women going into the metal industry,' Wright said, 'was that we would be able to get rates above the Metal Trades Award for those women who had gone onto jobs previously done by men.' And that following this, 'there would naturally be some kind of movement develop in the industry for those women left on the lower [MTA] rates, to get the higher rates granted to those women doing the work of men.' The government's action, he went on, 'was in accordance with what we desired.' It established the WEB away from the Arbitration Court to fix women's wages from 60-100% of the corresponding male rates. 'So the government

¹⁰⁰ McPhillips had been a organiser with the Northern Australian Workers' Union in Darwin, before becoming the FIA's Federal Industrial Officer in October 1941; he was the union's main advocate to the Arbitration Court and the WEB, and was elected Assistant National Secretary in 1943.

¹⁰¹ Speech by J. McPhillips, Minutes of CPA 13th Congress, *op. cit.*

¹⁰² Wright was then the Sheet Metal Workers' Union Federal president and its NSW Branch secretary; and also a member of the CPA Political Committee. From 1925-29, he had been CPA general secretary and thereafter, a Central Committee member. A highly respected and popular union official, Wright was the SMWU's NSW secretary for 36 years (1936-72) and Federal president for 32 years (1940-72).

¹⁰³ 'Women's Employment Board', *CR*, April 1943, pp. 35-6.

went as far as we could have expected it to go in relation to this Board and its powers, and the onus was then on the unions to present their case to the Board for equal pay.' Our policy, he added, was to accept the 90% decision for the metal trades and at some future date, 'to present a case for an increase to 100%.'¹⁰⁴

Wright detailed the employers' consistent opposition to the WEB and the refusal of many in the metal trades to abide by its 'common rule' decision of January 1943. The majority of women process workers in the metal industry who come under the WEB, he said, 'should be getting nearly £5 per week', whereas 'those working under the MTA get only £3/12/0.' So in many factories the employers had to raise wages by 27/- a week, but because of the Senate's disallowance of the 'common rule' regulation, some took away this increase. 'We must see,' he emphasised:

that the progress made in the metal industry is not lost, and that the employers do not put us in a position where the women lose what gains they have already made ... It may be necessary for us at this stage, because of the consistent sabotage and opposition of the employers, because of the victory we have had that they have tried to take away from us ... to support and even lead some kind of strike struggle.¹⁰⁵

Wright then attacked the AEU Commonwealth Council which, 'allegedly, is leading the fight in the unions for 100% of the male rate for women workers'; also Muriel Heagney, 'who is held up, especially by herself, as the outstanding authority in this country on this question' and who has been employed by the AEU to present its 100% case before the WEB.¹⁰⁶ Apart from tactical differences over accepting the 90% rate rather than fighting on for 100%, the attack was undoubtedly politically motivated, being connected with the CPA's efforts to gain greater influence within the AEU. At the time of the National Congress, there were no communists on the union's leading body, but this was rectified a few months later with the election of E.J. (Ted) Rowe to a ten-year term on the Commonwealth Council.¹⁰⁷ Referring to Muriel Heagney's

¹⁰⁴ Speech by T. Wright, Minutes of CPA 13th Congress, *op. cit.*

¹⁰⁵ *Ibid.*

¹⁰⁶ *Ibid.* Most of Wright's remarks about the AEU were included in the *Communist Review* report.

¹⁰⁷ See reference to Rowe's election, together with other positions in the AEU subsequently held by communists, in Tom Sheridan, *Mindful Militants: The Amalgamated Engineering Union in Australia*

attacks on the Board because it did not immediately give 100%, Wright said that the Council of Action for Equal Pay:

when it was somewhat under our influence, realised that it would take a period of time to get this, realised the difficulties under a capitalist society, and that so long as we made steps towards equal pay, that the activities of the Council would be justified. Yet, when the unions got 90%, some persons forgot the previous discussions and carried on activity which is undermining and destroying the successes of the trade unions.¹⁰⁸

The inclusion of this passage in the published report was a clear declaration of the Party's opposition to the position taken by Heagney and others in CAEP towards the WEB. However, for obvious reasons, the rest of Wright's remarks were omitted. Heagney 'must now be exposed,' he said, and:

we have to consider steps for taking control of it [the Council of Action] ourselves, or knocking it on the head, because it has become an organisation ... of sabotage of our efforts, that we have organised towards an advancement of equal pay for women.¹⁰⁹

This assertion of what the CPA was capable of doing within CAEP was actually political grandstanding; in reality, its influence in the organisation was not strong enough to enable it to either 'take control' or to 'knock it on the head'. Heagney's personal correspondence reveals her antagonism to what she saw as the communists' sell-out on equal pay, as well as her belief that they were trying to get control of CAEP. They certainly did agitate against her views and the majority policy, both at CAEP meetings and in other forums, such as the Clerks' Union and the NSW Labor Council. There was probably some exaggeration on both sides; but in any case, by late 1943-early '44 the CPA had effectively given up on CAEP and the unions it influenced had withdrawn.

A major motivation for the CPA's policy towards the WEB and for acceptance of its 90% standard rate in industry, clearly was the need to defend the Board in the face of the concerted conservative campaign to destroy it. The employers and the UAP were

1920-1972, Cambridge: Cambridge University Press, 1975, p. 204. His first attendance at a Commonwealth Council meeting is noted in the *A.E.U. Monthly Journal and Report*, September 1943.

¹⁰⁸ 'Women's Employment Board', *CR*, April 1943, p. 36.

¹⁰⁹ Minutes of CPA 13th Congress, *op. cit.*

determined to restore the *status quo* of the Arbitration Court fixing female wages according to its traditional basis, thus ensuring continuation of a cheap labour source. The metal unions' fight against the employers was essentially a class battle to preserve the higher wages awarded to women war workers, as well as to advance women's equality generally in the workforce. For the communists, an important factor was the necessity of supporting the Labor Government's war effort, which included establishing the WEB to facilitate women's employment in men's jobs on terms acceptable to the union movement. They certainly stood for equal pay for women, which in the context of the WEB meant the male rate where they were satisfactorily performing a man's job. But when the Board decided on 90% despite the unions' endeavours to achieve the full rate, they believed there was no alternative but to accept the decision for the present as a positive step towards achieving equal pay in the future. This view was also taken by most of the union movement and groups such as the UAW, while Heagney and other CAEP activists regarded it as an unacceptable compromise, indeed a sell-out on equal pay. For the CPA, the overriding issue was to preserve maximum unity in the labour movement for the war effort to defeat fascism. If it was a compromise to accept a range of measures against trade union principles such as prohibiting strikes, labour conscription and dilution of skills, then so be it until the war was won. Likewise, if the WEB's doors to full equal pay for women in the metal industry had closed, then that too had to be accepted for the time being.

Over half a century later, Jack McPhillips still maintains that the communists' position on the WEB was the only realistic option in the circumstances of the war. 'What we did was the correct thing to do politically and otherwise ... and resulted in the women getting a lot more money than they would otherwise have got.'¹¹⁰ That did not mean being satisfied with the 90% decision as the final outcome of the struggle for equal pay, but recognising it as a significant advance for many thousands of women. This view

¹¹⁰ Jack McPhillips, interview with author, Sydney, 7/2/96.

was reflected in the motion he successfully moved at the 1943 ACTU Congress, which stated in part:

Whilst not accepting the position of the Women's Employment Board as final satisfaction of the demand for equal pay and declaring that we will continue to press for full satisfaction of this demand, we express the view that the work of the WEB is a step towards equal pay in industry and is a big advance in female wage rates.¹¹¹

Once the Board had made its decision, McPhillips says:

there was then no basis for us to argue we want the extra 10%, we had exhausted our argument in getting the 90%. We accepted the fact that there was no earthly chance of us getting more than the 90% at that stage, [because] No. 1: the bosses wouldn't concede it; No. 2: the Arbitration Court wouldn't grant it; and No. 3: the WEB had decided on 90%. Where would we go to get it?¹¹²

He believes it would not have been possible to try to get the rate increased to 100% through industrial pressure:

The government would not have agreed, would not have budged an inch. I would not have expected them to agree, because after all they were running the country, running the war effort. [They would have responded] you said you supported it, you'd give everything to the war effort, so what the hell are you doing here beefing about wanting us to intervene, for 10%?¹¹³

He remains adamant that it would have been futile to try to get sufficient support to fight on for the extra 10%. 'There was no way in which we could have forced equal pay at that stage of history. Even if we had not been supporting the war effort ... and had our earlier attitude ... we could *not* have got large-scale industrial action around that issue.'¹¹⁴

In the last two years of the war, amidst widespread discontent over low wages and severe labour shortages in traditional female industries, the union movement stepped up its demands for increased wages for low-paid women. The 1945 ACTU Congress called for regulations to provide for a minimum female rate equivalent to 75% of the

¹¹¹ Minutes, ACTU Congress, 21-25/6/43, Box N33/19, SMWU Collection, NBAC.

¹¹² McPhillips, interview with author, Sydney, 15/11/95.

¹¹³ *Ibid.*

¹¹⁴ *Ibid.*; also interview, 7/2/96.

male rate for the particular job, a motion supported by the communist delegates.¹¹⁵ Following the Arbitration Court's refusal to raise female wages, the government finally issued the Female Minimum Rates Regulations in August 1945, under which the wages of women in twelve industries declared 'vital' were raised to 75% of the male basic wage, excluding margins.¹¹⁶ The cash result was around £1 a week extra for women in some industries, but only a few shillings for a considerable number of others.¹¹⁷

In the post-war period (1946-50), the CPA and left unions focused their efforts for equal pay onto demands for the 'rate for the job', rather than on the basic wage. They clearly felt that the best prospects of success lay in that direction, backed up by industrial action in the workshops, rather than trying to break through the 'immovable object' of the Arbitration Court's adherence to the 'family wage' principle embodied in the basic wage structure. They emphasised women's right to the same total wage as men including margins, on the basis of the work performed (i.e. their productivity) in the various award classifications. As Tom Wright pointed out in 1948, the unions' case for the metal industry was based on the same principle they had argued before the wartime WEB, i.e. that there should be one rate for the job (the total male award rate), payable to whoever performs it irrespective of sex.¹¹⁸ The CPA's position in the late 1940s was, in essence, much as it had been at the time of the WEB's existence. That is, to claim the full male rate for the award classification and to argue a strong case for 100%, but if this was unachievable, then for the highest possible percentage. In terms of a strategy towards achieving equal pay or at least, substantial wage gains for as many women workers as possible, the major weakness in this focus on 'mixed' industries

¹¹⁵ Minutes, ACTU Congress, 11-15/6/45, Box N33/19, SMWU Collection, NBAC.

¹¹⁶ These wartime regulations were to last for only six months after the end of the war, however, they were extended to the end of 1946. Following further labour movement pressure for continuation of both the 75% rates and the wartime WEB rates, both regulations were extended until 1949, when the High Court ruled they were no longer valid. See *Tribune*, 11/6/49, p. 3, 15/6/49, p. 7 and 22/6/49, p. 7 regarding the Women's Employment Regulations; and *Tribune*, 14/12/49, p. 3, regarding expiration of the Female Minimum Rates Regulations.

¹¹⁷ *Tribune*, 11/9/45, p. 7.

¹¹⁸ Tom Wright, 'Wages of Women Workers', *CR*, July 1948, pp. 198-9.

employing both sexes, was that it did not encompass the large numbers of women employed in predominantly female industries.

Several significant factors influenced the CPA's sharper focus in the post-war period on the concept of an occupational rate for the job, i.e. equality with the total male award rate for particular classifications. A major one was the conviction that the Court was so firmly wedded to the 'family wage' component of the needs basic wage structure, that it would be well-nigh impossible to win a claim for the same basic wage for both sexes. Also, any increase for women would only be to the minimum wage, not the additional margins received by most male workers based on the level of skill required, experience, or working conditions. Another factor was the ongoing influence of female wartime employment in a wide range of occupations which they satisfactorily performed, as well as the unions' experiences in arguing for the full male rate before the WEB on the basis of women's equal efficiency and productivity. That method of assessing women's wages gave higher results than had ever been gained under the Court's traditional wage-fixation basis. The wartime experience undoubtedly had a lasting effect on the consciousness of communists and left union officials, in terms of a rethinking about equal pay strategies. There was also the CPA's changed political outlook in the post-war period, when it adopted a militant policy of challenging Labor for the allegiance of the working class, including encouraging strikes and other protest actions for long-delayed gains in wages and working conditions and for social welfare improvements. An important part of its wages strategy was to push for heightened industrial action by workers on the job, including for equal pay for women. As Tom Wright noted in late 1948, wages 'must be forced up' by workers in the industry. 'It is only through the women themselves taking up the fight along with the men that they are going to get very far on the [equal pay] question.'¹¹⁹

¹¹⁹ Wright, 'The Campaign for Equal Pay', *CR*, January 1949, pp. 25-6.

Perhaps the most important factor, though, was the CPA's long-held reluctance to link the issue of equal pay directly with the basic wage. In 1925, as explained in Chapter Two, it had called for the same minimum wage for all workers irrespective of sex. However, from 1926 and for many decades thereafter, it advocated 'equal pay for equal work', with the variation, at times, of 'the rate for the job'. In the pre-war period, the CPA and other labour movement organisations apparently did not see anything contradictory in calling for equal pay for women on the one hand, whilst also supporting the 'family wage' concept of the needs basic wage, which embodied a lower female percentage. The demand for 'equal pay for equal work', rather than for an equal basic wage for both sexes, did not threaten a lowering of the male basic wage; it also recognised the strong working class attachment to the principle that as the 'natural' breadwinners, all men should receive a minimum wage sufficient to support a wife and children. Through most of the 1930s when there was little union interest in pressing equal pay claims, the issue was rather amorphous, with the major concern being protection of male wages and jobs from the threat of cheap female labour. But in the late 1940s, following the wartime experience of women's entry into non-traditional occupations and with the positive legacy of the WEB, more explicit strategies were needed, aimed at developing concerted union-worker action to lift the low wages of a considerable section of the workforce. Hence the communists' emphasis on claiming the 'rate for the job' regardless of the worker's sex, for specific award classifications.

The CPA's view was that it was politically and strategically wiser to separate the issue of equal pay for women from the 'family' basic wage. Its major concerns, which many unionists shared, were that to challenge the traditional wage structure by pushing for an equal basic wage, would alienate the mass of workers who believed that men should receive a higher wage than women, and would risk a lowering of the minimum wage. There was a real foundation for these concerns, in a period when the majority of women left paid work once married to become dependent homemakers and mothers, and when the 'family wage' concept for men was widely accepted as socially just. Also, the

danger of the minimum amount being decreased if women were to receive the same basic wage, was very real in the minds of union leaders and workers, as such a threat had been voiced by employers and Arbitration Court judges several times. Chief Justice Dethridge, for example, warned of this possibility during the 1937 Basic Wage Inquiry.¹²⁰ And in the Full Court's judgement on the 1943 'munitions anomaly' case, the Judges stated that: 'The share of men workers in the fruits of production will need to be reduced if women are to participate therein on an equal footing', or on a better footing than hitherto.¹²¹

The CPA's ambivalence about equal pay and the basic wage can be seen in a pamphlet written by Tom Wright in late 1943. He disagreed with comments made by the WEB chairman, Judge Foster, to the effect that male wages would necessarily have to be reduced if women's wages are to be increased,¹²² and argued that it was preferable for equal pay not to be linked with the basic wage. 'It is necessary to oppose any attempt to utilise the principle of equal pay as a means for reducing the basic wage,' Wright wrote. The working class:

must demand the abolition of the so-called female basic wage, which is an arbitrary amount based on a percentage of the basic wage. Insofar as the question of equal pay is related to the basic wage, we will demand that the rate established for males be extended as a minimum for all. Generally, our approach to the question of equal pay will not be as a demand in relation to the basic wage. Our approach will be that the rate established for work done by men and paid to men will apply to the work without regard to the sex of the worker, and where there are no corresponding rates for men that the minimum rate for males in the particular industry shall also be the minimum rate for women.¹²³

The CPA's position can also be seen in a resolution adopted by the FIA National Council in February 1944, opposing demands by women's organisations for an equal basic wage:

This demand implies that the male basic wage is satisfactory, but also, opens the door for employers to argue that if the woman receives the same basic wage as the man, the male basic wage should be reduced. At present the male basic

¹²⁰ See Chapter Three, pp. 80-1.

¹²¹ 50 CAR 191, 17/6/43, p. 213. See also, similar statement by Judge O'Mara in the 1942 Metal Trades Award case, 47 CAR 776, p. 784.

¹²² Wright, *The Basic Wage*, Sydney: Current Book Distributors, 1943, pp. 10-11.

¹²³ *Ibid.*, pp. 11-12.

wage is alleged to be a family wage, and employers are already arguing that, now that so many women are working, the male basic wage should be reduced to a figure which would be sufficient to keep a single person.

Unless this argument is vigorously combatted, the resolution added, 'we will have men and women on an equal basic wage, and to that extent equality of the sexes, but a lower total income for the working-class as a whole.' The demand should be for 'the same *total* wage for women as for men.'¹²⁴

Conclusion:

In the process of dissipation of the impetus for equal pay during the war, principle became reconciled with pragmatic politics; or, the ideal of equal pay gave way to the pressures of political, economic and social realities. The decline of equal pay as a significant political-industrial issue in the labour movement, was an outcome of the Curtin Government's decision to establish the Women's Employment Board as a temporary expedient to resolve an immediate need, thus effectively shelving the issue of equal pay for the duration. The government deferred the long-term goal of tackling equal pay as a principle of social justice and equality for women, while authorising the WEB to award 'up to 100%' of the male rate to the relatively small numbers of female war workers employed in male jobs.

This process has been shown mainly through the perspectives of Muriel Heagney and other CAEP campaigners on the one hand, and the CPA, the FIA and SMWU. At the end of 1941, Heagney was optimistic that equal pay could be achieved in the favourable wartime circumstances; her premises were that the Curtin Government would carry out Federal Labor policy on the issue by regulation or legislation, and that the union movement would stand firm for the equal pay policy adopted by the 1941 ACTU Congress, and for the full male rate for women replacing men. For her, these premises were non-negotiable. The CPA was ideologically and politically committed to

¹²⁴ Minutes of Federated Ironworkers' Association National Council meeting, 4/2/44, Box E102/18, FIA Collection, NBAC. See also: *The Ironworker*, February 1944, p. 3 and *Tribune*, 10/2/44, p. 3.

women's equality, especially their right to equal pay for equal work. Communist union officials had supported all moves in this direction within union conferences and had strongly pressed the case to the government that women coming into men's jobs in industry must get the full male rate. However, as events unfolded during 1942 regarding their claims to the WEB for the 100% rate and the intense employer-UAP attacks on the Board, they focused their attention on defending the gains that had been achieved, retaining the Board and fighting for the 90% rate for the maximum number of women metalworkers.

The issue of acceptance of the 90% rate and the subsequent decline in agitation for equal pay was, of course, the key difference between the two positions. The view of the CPA and the communist-led unions, which was also taken by most unions, labour movement groups and the feminist UAW, was regarded by Heagney and other long-time equal pay campaigners as a politically pragmatic compromise which undermined the principle of equal pay. The majority belief was that there was no alternative but to accept the WEB award for the time being, as the best that could have been achieved under the political-economic circumstances and the pressures of the war demands. In hindsight, it can be seen that both positions had some validity. Heagney and her CAEP colleagues were understandably dismayed about the deterioration of the potential for achieving equal pay, in the process of the government's unwillingness to regulate for equal pay, the WEB's refusal to award 100% in most cases and the unions' capitulation to its 90% decision. Those holding the other view, however, judged it to be the only realistic and politically feasible option, given that the government and the Board would not go any further, and that it would be counter-productive to continue pressing for an unachievable demand.

CHAPTER EIGHT

METAL UNIONS' RESPONSES to the FEMALE 'INVASION' of THEIR MALE DOMAINS

... there is still a tendency to value the work of women lightly whether it be the skilled or the unskilled, paid or voluntary, and the [woman] worker in industry is still in the position of the prisoner at the bar of justice - very much under suspicion.

- Muriel Heagney, November 1943.¹

This chapter explores the policies and practices of the three main metal trades unions - representing elite engineering craftsmen, skilled metal tradesmen and unskilled labourers - towards women entering their industries. The most notable similarity in their policies was their insistence on equal pay for women doing men's jobs, whilst the differences in their perspectives towards the female intrusion had much to do with their relative positions on the ladder of labour prestige. On the top rung were the highly-skilled craftsmen of the Amalgamated Engineering Union. The AEU resisted women's entry into its ranks as long as possible until it had no alternative but to accept them, whilst ensuring strict controls on the conditions of their entry and exit, in order to protect male members' skills, jobs and pay rates. The skilled tradesmen of the Sheet Metal Workers' Union were on the middle rung. The SMWU was also initially apprehensive about the threat posed by an uncontrolled influx of female labour; however, it began to organise and recruit these new war-workers from 1941, while endeavouring to gain the full male rate as a condition of their employment. On the bottom rung of the ladder was the Federated Ironworkers' Association, the labourers of the iron and steel industry. The FIA enlisted most of the female munition and metal workers coming into men's jobs as from 1941, who were mainly employed on unskilled

¹ 'Report of the Organiser of the Women's Section to First Meeting of Women Shop Stewards, Sydney District', 10/11/43, p. 10, Box 1160/3(a), MS 9106, Muriel Heagney Papers, La Trobe Library, State Library of Victoria.

process work in the government factories and private metal firms, and its wartime female membership was far larger than that of other metal unions. During the war both the FIA and the SMWU were led by prominent communists and both supported the Communist Party's (CPA) policies on Australia's war effort. Their differences with the AEU over some of its policies towards female labour in the industry, the Women's Employment Board (WEB) and equal pay, are explored below.

The Amalgamated Engineering Union:

Since the union's formation in 1852 as the Australian Branch of the British Amalgamated Society of Engineers, and as the AEU in 1920,² its members had upheld its traditions of craft-consciousness and pride in their skills and high work standards. They were nicknamed 'Gentlemen Jims' and 'Tin Gods' within the labour movement, and termed an 'aristocracy of labour'. As an elite and wealthy organisation, the AEU provided an extensive system of benefits to members in return for their high subscriptions, such as coverage against loss of tools, accidents, sickness and unemployment.³ During the war the metal trades workforce nearly doubled - growing from 177,000 in 1938-39 to 341,000 in 1943-44.⁴ For the same period, female employment in the metal industry rose from 9,500 to 55,200, with the femininity rate trebling from 5.4% to 16.2%; while the AEU's membership rose from 28,000 in 1939 to 72,000 in mid-1944.⁵ In its approach towards the growing threat posed by the entry of women into the metal trades from 1940, the AEU was hamstrung by the fact that even if it had wanted to organise and enroll these new workers, it was unable to do so.

² In 1920, six British metal industry unions merged to form the Amalgamated Engineering Union, which name also applied to the Australian Section of the union - *Women in the Engineering Industry*, Sydney: Amalgamated Engineering Union, 1943, pp. 3, 4.

³ Tom Sheridan, *Mindful Militants: The Amalgamated Engineering Union in Australia 1920-1972*, Cambridge: Cambridge University Press, 1975, p. 13.

⁴ Jim Hagan, *The History of the A.C.T.U.*, Melbourne: Longman Cheshire, p. 137.

⁵ Sheridan, *op. cit.*, pp. 160, 19.

As a branch of its British parent body, the local union had no constitutional power to alter its rules to permit female entry. Such a major policy change could only be adopted by vote of the entire membership in both countries, thus the AEU's hands were tied until the Executive Council in Britain decided to take action. The procedures to admit females were completed at the end of 1942, but women were not able to become members of the Australian AEU until April 1943.

In 1940 with the beginning of the changeover to war production and diversion of men to the Forces, it was obvious that large-scale employment of unskilled workers would be necessary to supplement the diminished numbers of skilled tradesmen. The AEU acted quickly to ensure tight controls over the 'dilutees' expected to come into the skilled trades. To approbation from the ACTU and the majority of other unions who were wary of supporting the conservative Menzies Government's war plans, it negotiated with the government over the conditions of a training/dilution scheme and employment of these 'added tradesmen'.⁶ Following consideration of the government's proposals by an interstate AEU conference in January 1940, the dilution agreement was adopted in May.⁷ Three years later it was extended to a limited number of female 'added tradesmen' - again under strictly controlled conditions governing entry, payment of full male tradesmen's rates, and exit as soon as qualified men became available.

The union's Commonwealth Council (CC) was strongly opposed to female employment, but the increasing presence of women workers by the end of 1941 forced

⁶ The 1940 ACTU Congress resolved to oppose dilution in any industry, castigated the AEU and called on it to discontinue negotiations with the government - Sheridan, *ibid.*, p. 155.

⁷ From the AEU's perspective, the most important terms of the agreement were that all available engineering tradesmen would be employed first; that first preference in trainee schemes would be given to 'persons of engineering or appropriate classifications', with others accepted only when this source had been exhausted; that the AEU would be represented on central and local committees overseeing the scheme; that the trainee would be paid the basic wage during his training period and thence full tradesmen's award rates; and that 'recognised' tradesmen would have complete job preference over dilutees - Sheridan, *op. cit.*, pp. 154-5. For further details, see Orwell Foenander, *Wartime Labour Developments in Australia*, Melbourne: Melbourne University Press, 1943, pp. 33, 145; and E. Ronald Walker, *The Australian Economy in War and Reconstruction*, New York: Oxford University Press, 1947, pp. 306-7.

its reconsideration. Even after bowing to pressure for a policy change from district organisers, the CC continued to resist women's entry unless safeguards were secured to ensure protection of members' skills and pay rates and especially, to ensure that they would not remain after the war. The AEU's policy concerning wartime employment in the engineering trade was designed:

for the immediate and future safeguarding of its own membership, whose economic interests constitute the primary concern of the organisation. Second preference in employment was to be given to men disemployed through war conditions; and, thirdly, the employment of women was approved, provided that they be paid the male rate for the job. If and when normal conditions return it was assumed that the reverse order would prevail in discharges from the industry in line with the time-honoured practice of last on first off, taking it for granted that this represented a natural order of priority in industrial status.⁸

Stone caustically commented about this policy: 'If you make sure that women are last on, you can rely on union tradition to make sure they're first off.'⁹

In an Arbitration Court hearing in late 1940-early 1941, the AEU and other metal unions objected to female employment in munition production. They opposed an application by the Victorian Chamber of Manufactures to extend the classes of work on which women could be employed in the metal industry. The AEU advocate argued that since 1930, the Metal Trades Award (MTA) had permitted female employment only in limited areas such as radio, telephone apparatus, canister-making and bakelite work; that the real reason behind the employers' claim was the relative cheapness of female labour; and that the introduction of women was a form of dilution.¹⁰ Judge O'Mara held that the award should be varied to regulate female employment in the manufacture of essential war materials such as small shells, primers, fuses and the like. The unions' objections were that any further extension of female employment should not be permitted until investigation of all aspects of the issue, and that 'in any circumstance it should not be allowed until it had been proved by the applicants that

⁸ *Women in the Engineering Industry*, op. cit., p. 5.

⁹ Janey Stone, 'Women in the Metal Trades', *Front Line*, no. 5, December 1976, p. 13.

¹⁰ *A.E.U. Monthly Journal and Report* [hereafter *MJR*], January 1941, p. 5.

there were not sufficient unemployed males available.’¹¹ ‘The real problem,’ the Judge said, is that of ‘safeguarding the position of male employees.’ Whilst he did not regard female employment on the specified classes of work as likely to displace males at present, ‘their retention, when the present need passes, may have that result.’ Therefore, their entry into and departure from the industry should be controlled.¹²

At a conference in March 1941 of employers, unions and the Ministries of Labour and Munitions, the AEU contended that as long as male labour was available, it would not agree to the introduction of females into the engineering industry. ‘And even when all available male labour became absorbed there would have to be some very definite safeguard before their entry would be considered.’¹³ The application’s prime purpose, the Judge said, is to employ females to operate machines for the manufacture of small munitions, with the setting-up being done by tradesmen. He appreciated that these women:

would be going on to a field that has been occupied by men, and which in my opinion should be occupied by men except in exceptional circumstances ... As to the departure of women from industry, I feel that it might be regulated on the basis of permission to employ them on these machines, terminating automatically at some specified date, either on the termination of the war or a specified period of months thereafter.¹⁴

The introduction of women into the engineering industry ‘is viewed with very grave apprehension,’ the AEU’s representative, H. Fountain said. ‘We feel that if female labour has to be introduced, it should be a last resort, and that the government has to satisfy the organisation that the whole field of male labour has been explored.’ Whilst he appreciated that the Court was ‘trying to do the best it can under difficult circumstances’:

¹¹ Judgement by O’Mara, J., on Application by Victorian Chamber of Manufactures to vary the Metal Trades Award re employment of females, p. 2, File 1943/393, Series A9816/3, Australian Archives [hereafter AA], ACT.

¹² *Ibid.*, pp. 3-4.

¹³ *MJR*, May 1941, p. 5.

¹⁴ Transcript of ‘Conference re employment of females in munition annexes’ before Judge O’Mara, 28/3/41, p. 104, File 1943/393, Series A9816/3, AA ACT.

that does not remove from the minds of the people I represent a belief that an attempt is being made to introduce females into our industry, and they feel that no matter what protection this Court might be prepared to give our members, it will be used against them at a later stage.¹⁵

Fountain and his colleague, N. Roberts, both stressed that it was inopportune to introduce female labour on process work because of the current shortage of machines, tools and gauges and skilled tradesmen for the setting-up, and urged that the matter be left to a later stage 'when there may then be some warrant' for females to be brought in. There is a 'vast reservoir' waiting to be tapped among older men who had been rejected for training in the dilution scheme but who would be suitable for munition process work, Roberts suggested.¹⁶

Towards the end of 1940 AEU district organisers conveyed to the Commonwealth Council their views on the necessity of accepting women in the industry. The CC's response was that under no circumstances would it agree to female entry into the skilled trades. If employers or government unilaterally forced the issue, then the union's reaction should be immediate: 'it is not a matter for a sectional dispute but it is a question that should be met by united opposition of all members in a district.'¹⁷ By April 1941, however, the Council had been persuaded to seek permission from the Executive Committee to 'organise females in the industry if necessary, for our own protection.' The proposal was vetoed, however, because it had been rejected by the 1940 Rules Revision Committee.¹⁸ This decision, Sheridan explained, seriously handicapped the Australian section, which could do little about the increasing female presence in the industry except protest to the government. Whilst it eagerly enrolled male dilutees, 'women performing identical tasks remained outside the AEU.' Then in December 1941, the Western Australian Coastal District Committee agreed to a consent award for females employed in general engineering in Perth; it was reprimanded by the CC, 'but the breach had been made.' Two months later, district officials attending a

¹⁵ *Ibid.*, pp. 126-7.

¹⁶ *Ibid.*, pp. 128, 130.

¹⁷ Sheridan, *op. cit.*, p. 160.

¹⁸ *Ibid.*

conference on the issue 'all reported the spread of females into AEU trades in their areas.' In view of this situation the Council entered into extensive negotiations with the new Labor Government, 'in order to ensure that, if the AEU ended its opposition to the employment of women, the position of male members would be suitably safeguarded.'¹⁹

In January 1942 the union leadership explained its views on female labour in the industry:

If and when the introduction of females into industry becomes a necessity it must be allowed only under the strictest of conditions ... The onus is on the Government before it talks of females entering the engineering industry to see that the male labour already available is used to the nation's advantage ... [and] to see that skilled labour in non-essential industries is transferred to munition production without further delay.

If the necessary war-production needs still cannot be met, the statement continued, 'then, and then only has the time arrived to talk about females entering the engineering industry.' When the industry is further diluted, it must be on the basis of equal pay for the sexes. Also, the introduction and exit of females:

must be governed by a rigid set of conditions, foremost amongst which shall be the definite prohibition of their employment after the cessation of hostilities. The ordinary industrial agreement, Court award or order will not meet the position. If there is to be no exploitation of the position then it must be controlled by an Act of Parliament.²⁰

Over the next eighteen months, the AEU pressed on the government its two major policies concerning female employment: equal pay, and an Act of Parliament to ensure that all women leave the engineering industry at the war's end. In January 1942 Commonwealth Council chairman, J.A. Cranwell, put forward these demands to the first meeting of the Industrial Relations Council.²¹ In March the AEU protested to the government about its failure to accede to the union's request for a meeting to discuss the entry of female labour into the industry.²² In response, the Munitions Minister,

¹⁹ *Ibid.*, p. 161.

²⁰ *MJR*, January 1942, p. 6.

²¹ *Ibid.*, February 1942, p. 4.

²² *Ibid.*, April 1942, p. 3.

Norman Makin, advised the union of the War Cabinet's decisions concerning the rates and conditions for females undertaking male work, who would come under the jurisdiction of a special wage-fixing tribunal (the Women's Employment Board). The government intended the decisions to apply 'only to semi-skilled and unskilled operations at present,' his letter stated, with the objective being 'to bring the female labour in on the lower grades of duties, thus releasing the men for higher and wider duties.' Under no circumstances was it intended that females 'will be used to displace men or to be placed in charge of male employees.' He also said that the government is considering legislation 'to ensure that these arrangements shall terminate at the end of the war', including whether an Act of Parliament is practicable. The CC replied that it 'will not be a party to the introduction of women into the industry' unless the government agrees to equal pay and to an Act of Parliament to provide for women's exit after cessation of hostilities.²³

As in the early days of male dilution, Sheridan said, the AEU had hoped that women's employment would be restricted to lower grades of engineering work. 'Hence, the AEU fought hard to prevent the employment of women even on 2nd and 3rd class machinists work whilst the toolroom was regarded as a strictly male preserve.'²⁴ In July 1942, for example, in response to an application by the Islington Workshops to employ females on work usually carried out by tradesmen, the CC advised its Adelaide District Committee 'that if women are placed on 1st or 2nd class work, then our members must cease work.' And in September, it advised the Sydney District Committee that in the event of women being placed in the toolroom of a Sydney firm, 'Council recommend that the men cease work.'²⁵ However, 'it proved impossible to do more than slow down the rate of entry of women into the more highly skilled

²³ *Ibid.*, pp. 3-4.

²⁴ Sheridan, *op. cit.*, p. 162.

²⁵ Minutes, AEU Commonwealth Council [hereafter CC] meetings, 6/7/42 and 14/9/42, Minute Book No. 12, Box Z102/216, Amalgamated Engineering Union Collection, Noel Butlin Archives Centre [hereafter NBAC], Canberra. (All further references to CC minutes are from this Minute Book).

trades.’²⁶ This situation strengthened the union’s determination to secure specific legislation guaranteeing that women would vacate their jobs after the war.

In early June 1942 the union presented to Cabinet Ministers a draft Bill for an Act of Parliament ‘to make provision for the retirement of females from the engineering industry at the conclusion of the war.’ The Ministers agreed to recommend its acceptance to Cabinet, but firstly, to request an opinion about the legal validity of such an Act.²⁷ The Labour and Industry Minister, E.J. Ward, submitted the draft Bill to Cabinet; however, the Solicitor-General advised that the Commonwealth had no direct power under the Constitution to legislate with respect to the regulation of industry in peace time, and that therefore, it could not enact valid legislation along the lines of the proposed Bill.²⁸ Further attempts were apparently made to devise legally valid legislation. In October 1942 Attorney-General Evatt advised the union that he would go on with preparation of the Bill for the exit of females; and in December the Prime Minister forwarded copy of a revised Bill.²⁹ However, the attempts to achieve an Act of Parliament were abandoned, in favour of regulating to provide for full rates for female ‘added tradesmen’, and for their exit as soon as qualified men became available.

In May 1943 the 1940 dilution agreement was extended by government regulation, to admit women to the engineering trades.³⁰ The regulations included ‘stringent provisions’ for maintaining preference for men:

An employer was prevented from dismissing, without the consent of the Local Dilution Committee, a male added tradesman while a female of the same classification was employed in the same establishment. Further, a female was

²⁶ Sheridan, *op. cit.*, p. 162. He further states that between 1943 and 1945, 35% of the total of 4,300 female entrants to the AEU were engaged in skilled occupations.

²⁷ Minutes, CC meetings, 8/6/42 and 12/6/42.

²⁸ Agendum No. 258, Item No. 21, 9/6/42, Vol. 3, Series A2700, AA ACT. The proposed Bill’s main terms were: that after three months from the end of the war, no employer shall ‘employ or continue in his employment any female to perform any work in the engineering industry which was ordinarily performed by male employees at the commencement of the war, if a male employee is available.’ Also, that after the signing of peace treaties, no employer shall ‘terminate the services of a male employee without his consent so long as a female is employed by that employer to perform work ordinarily performed by a male employee.’

²⁹ Minutes, CC meetings, 5/10/42 and 10/12/42.

³⁰ Statutory Rules of 1943, No. 143, 27/5/43.

required to agree to abandon her employment if and when a competent recognised tradesman or male added tradesman (of the same classification) was available and offering for the job.³¹

The regulations, in effect, 'provided for equal pay on tradesmen's or 2nd class machinist's work.' In addition, added male journeymen would have preference over females and the Dilution Committees would control the selection and allocation of female dilutees.³² Thus, by mid-1943, the position was secured that women employed as 'added tradesmen' in engineering occupations would receive the total male rate for the classification, and would have to leave their jobs as soon as qualified males became available.

As mentioned above, women were not able to be enrolled as AEU members in Australia until April 1943 (although they were admitted in Britain in January). The two-year delay from April 1941, when the Australian section first sought permission from the Executive Council (EC) to organise females, meant that the AEU lost large numbers of potential members in this period to other unions. At the end of May 1942 the CC was informed that a membership ballot would be held on the question of recalling the Rules Revision Committee in order to amend the rules to permit female members.³³ The Australian section voted heavily in favour, by 13,726 votes to 8,257.³⁴ Permission was received in December to admit females as members from 1 January 1943.³⁵ However, formalities relating to changing the AEU's rules in Australia caused a further three-months delay. Following the union's application to the Arbitration Court in January, the government helped to expedite the hearing by issuing a regulation to amend the union's constitution to allow female membership. After the Industrial Registrar had approved the rules change, the FIA applied to the Court for rescission of its decision, thereby lodging an objection to the admission of women into the AEU. However, on 29 March, Judge O'Mara refused the FIA's application

³¹ S.J. Butlin and C.B. Schedvin, *War Economy 1942-1945*, Canberra: Australian War Memorial, 1977, fn. 9, p. 170; *Sydney Morning Herald* [hereafter *SMH*], 28/5/43, p. 6.

³² Sheridan, *op. cit.*, p. 163.

³³ Minutes, CC meeting, 29/5/42.

³⁴ Sheridan, *op. cit.*, p. 162.

³⁵ Minutes, CC meeting, 14/12/42.

because of the existence of the government regulation. Thus, the AEU's Women's Section was founded on 1 April 1943.³⁶ Female entrants to the union between that date and 1945, numbered 4,300.³⁷

Muriel Heagney, honorary secretary of the Council of Action for Equal Pay, had been appointed in mid-March as the union's women's organiser (she held the position until April 1945). Her immediate task was to prepare evidence on the work and productivity of women employed in engineering classifications in Sydney metal workshops, for the AEU's planned claim to the WEB to increase its 90% award to 100%.³⁸ The union's application, lodged in February 1943, was based on three grounds: that the 90% rate is inadequate given that female productivity equals that of males engaged in substantially similar work; that absenteeism occurs among both sexes and is not generally considered by wage-fixing tribunals when determining pay rates; and that the continuation of differential wage rates for employees engaged on the same work results in industrial unrest which adversely affects production.³⁹ It was also argued that establishment of a lower female rate would militate against re-engagement of males when hostilities cease; and that as there was no wage differentiation under the dilution agreement for partially trained males engaged on skilled work who were less efficient than fully qualified tradesmen, the WEB 'should adopt the same principle' for substitute female labour.⁴⁰

As events transpired, the AEU's equal pay application was not pursued. The union had reported in February that a 'test case' for 100% for women workers was to be taken before the WEB, with the support of Attorney-General Evatt, the Arbitration Court and

³⁶ Muriel Heagney, 'Women in the Engineering Industry', *Amalgamated Engineering Union: Souvenir 25th Anniversary 1945*, Sydney: Amalgamated Engineering Union, 1946, p. 52, Box P117/34, AEU Collection, NBAC.

³⁷ Sheridan, *op. cit.*, p. 162.

³⁸ See Muriel Heagney's logbook of her investigations in Sydney factories from 16/3/43, whilst employed as AEU Women's Organiser; also 3-pp. typescript, 'Summary of Typical Evidence...' for the AEU's 100% claim to the WEB - Box 1159/4(a) and Box 1160/2(b), MS 9106, Heagney Papers, La Trobe Library, State Library of Victoria [hereafter SLV].

³⁹ AEU application to Women's Employment Board, 22/2/43, attached to letter to unions from C.E. Mundy, AEU Arbitration Agent, Box E218/320, Federated Ironworkers' Association [hereafter FIA] Collection, NBAC; also, *Women in the Engineering Industry*, *op. cit.*, p. 7.

⁴⁰ Affidavit in support of AEU application, Box E218/320, FIA Collection, NBAC.

Judge O'Mara.⁴¹ Set down for early April, the hearing was deferred because of suspension of the Board's hearings following the employers' High Court challenge to the validity of the women's employment regulations. The reason the application was dropped, however, was because of the dilution regulations issued in May 1943, guaranteeing equal pay and exit provisions for females in skilled occupations. As Sheridan noted, 'after this date the AEU's immediate concern with the problem of female wages receded although it still supported the principle of equal pay in all trades.'⁴²

The AEU presented itself during the war as a militant and uncompromising advocate for equal pay for the sexes. This image was given added weight by its employment of Muriel Heagney, who was well known as an equal pay campaigner and strong critic of the WEB's 90% standard rate. In May 1943 CC chairman, J.A. Cranwell, emphasised the union's support for equal pay. He pointed to the severe impact of the Board's 90% rate on the engineering industry, which:

virtually amounts to a breakdown of job values by 10%, since all the evidence on women's work in the metal trades in Australia and overseas goes to prove that ... they are equal and in many cases superior to the available male workers.

'We have never deviated from our policy of the application of the full rate for the job, irrespective of the sex of the worker,' he said.⁴³ And in a clear reference to the FIA and SMWU, Heagney said that 'a few propagandists in some engineering shops [are] seeking to divert the workers from the 100% policy of equal pay,' so that their attention may be concentrated on winning the 90% WEB award for women replacing men. 'This we regard as the negation of economic equality for men and women and the evidence of the value of the work of women.' Some metal unions 'have acquiesced in support of the 90% of the male rate,' but the AEU believes that acceptance of sex differentials in rates for comparable work 'is illogical and retrogressive.'⁴⁴

⁴¹ *MJR*, February 1943, p. 10.

⁴² Sheridan, *op. cit.*, p. 163.

⁴³ *Women in the Engineering Industry*, *op. cit.*, p. 1.

⁴⁴ *Ibid.*, pp. 2, 7.

On several occasions during late 1942-early '43, the AEU's stand on equal pay was illustrated through strike action, when members refused to work with women employed on male work who were being paid less than male rates. These stoppages took place in sectors of the metal industry producing war materials which had not yet been covered by the WEB's rates. Ostensibly, commented Sheridan, the strikers 'were only fighting to secure at least 90% of the male rate for female employees, if not equal pay.' In fact, although the wages issue was very important, the union 'saw the stoppages as the best means of bringing pressure on the government to guarantee the post-war rights of male engineers.'⁴⁵ The pressure paid off in May 1943, with the regulations bringing women into the dilution scheme.

The most important strikes occurred at the Ford Motor Works and at ACI Engineering in Sydney. At Ford's Homebush plant, 24 welders stopped work in November 1942 over females being engaged on welding for less than male rates. The WEB had determined that the women could do first-class welding work, but had reserved its decision on wages and conditions, and in the interim the company paid the MTA female rate of £3/6/-. The men returned after a three-week strike, following the Board's award of £5, i.e. 90% of the male rate.⁴⁶ The fact that the AEU was prepared to hold up defence production pending the WEB's decision, particularly given that the company had undertaken to comply with the decision, indicates that the union had other reasons for waging the strike. Judge O'Mara recognised this in his judgement:

The dispute which is not really with the company but with the Commonwealth Government is political rather than industrial and its purpose is to impress the Government of the day, not to persuade or coerce the employers. I understand that the [union] has asked that legislation be passed making it a condition of the employment of females on men's work in the engineering trades and processes that they should be withdrawn from that work on the termination of the war or earlier if men can be found to take their places.⁴⁷

The union had 'reasonable grounds for being apprehensive as to whether or not the existing legislation [the Women's Employment Act] is sufficient to achieve that

⁴⁵ Sheridan, *op. cit.*, p. 162.

⁴⁶ *SMH*, 25/11/42, p. 9, 9/12/42, p. 9 and 12/12/42, p. 11.

⁴⁷ 48 CAR 855, pp. 856-7.

purpose,' the Judge noted. He also said that its officials 'do not feel either disposed to or capable of disciplining their members while their request for special legislation has not been granted.'⁴⁸

The strike at ACI Engineering, involving some 350 members of the AEU and the ASE, lasted for over five weeks from early December 1942. The company's application to the WEB regarding female employees' wages and conditions was awaiting hearing. The men were reported to have struck because no restrictions had been placed on female employment and there was nothing in writing to show that it would be terminated at the end of the war. They demanded that the seven women employed in the factory should sign agreements to vacate their jobs when qualified tradesmen became available; also, that they be paid the same rates as male workers.⁴⁹ Subject to a resumption of work, the company had offered to withdraw the women pending the Board's decision, but the strikers had decided not to return unless the women received equal pay. Judge O'Mara was satisfied 'that the purpose of the stoppage was to impress the Government and was not founded on any real claim against the company.' He found that the strike was 'against the policy and administration of the Women's Employment Act' and its continuation was approved by the AEU Commonwealth Council, which questions the WEB's competency to properly deal with female employment in such occupations.⁵⁰

The disputes over women's wages, the union's journal commented, 'are a very clear indication that the membership as a whole are in favour of females being paid the male rate for the job,' and that the WEB's 90% decision 'cannot be allowed to remain.' The action taken by AEU members to secure the male rate has been by work stoppages, whereas 'some other organisations which are enrolling females into their ranks seem to

⁴⁸ *Ibid.*, p. 857. See also: *Metal Trades Journal*, 1/1/43, pp. 8-9; and *SMH*, 1/12/42, p. 6 and 3/12/42, p. 6.

⁴⁹ *SMH*, 3/12/42, p. 6 and 4/12/42, p. 6.

⁵⁰ 49 CAR 4, pp. 4-5. See also, *MJR*, February 1943, p. 4.

be content with receiving contributions.’⁵¹ These views were reinforced by a mass meeting of 1500 Sydney members in February, which decided by a substantial majority to instruct the union to withdraw all men from work if the WEB did not grant equal pay for women in the industry.⁵²

It was the five-week ACI strike that was at the basis of the strong attack against the AEU by Tom Wright, SMWU official and leading communist, at the CPA’s National Congress in March 1943, referred to in the last chapter.⁵³ Shortly after the strike ended, *Tribune* had condemned the union’s leadership for unnecessarily dragging it out for several weeks.⁵⁴ Wright accused AEU officials of doing nothing over the previous 18 months to assist females to gain higher pay rates, who were working alongside male engineers and sheet metal workers in the aircraft industry. They ‘made not one protest, took not one step of any kind in regard to the position of women or their wages’ and ‘never even put in an appearance’ when the SMWU argued the case before the WEB. They did nothing because ‘their real policy was that they were opposed to the women coming into the industry.’ He also claimed that the Council organised the ‘futile and useless’ strike at ACI:

because a few women who had become members of the Ironworkers were doing similar work to that which they were already doing in many factories ... What was really a fight against women doing this work at all, was revealed to the public as a fight for 100% of the male rate for these women workers.

The AEU, he concluded, ‘is sabotaging the war effort, has lined up with the employers in all of its seditious campaigning against the WEB, and has acted all the way through against the interests of women.’⁵⁵

Muriel Heagney’s work as women’s organiser quickly became focused on assisting members to gain the 90% rate, which was being withheld by employers in several

⁵¹ *MJR*, February 1943, p. 6.

⁵² *SMH*, 15/2/43, p. 4.

⁵³ See Chapter Seven, p. 247.

⁵⁴ *Tribune*, 20/1/43, p. 3.

⁵⁵ Minutes, CPA 13th Congress, 19-22/3/43, Box 1 (CY 3096), MSS 5021, Add-on 1936, Communist Party of Australia Archives, Mitchell Library. See also, *Communist Review*, April 1943, pp. 35-6.

munition annexes and factories.⁵⁶ Her logbook records details of regular visits to metal workshops throughout Sydney, including complaints and agitation by workers still being paid £3/13/6 (the MTA female rate of 75% of the male basic wage with no additional margin), rather than £5 (the WEB award of 90% of the total male rate including skill margin for the classification, usually that of process worker). In one case, women workers in a Government annexe had been refused the WEB rates, but when they joined the AEU the union took steps to secure adjustment, resulting in the women receiving back pay totalling £30,000.⁵⁷ Heagney found that some firms were using a range of tactics to avoid paying the higher rate, acting under instructions from metal manufacturing employers' organisations. These included shifting women off machines to other work for varying periods, paying the 90% to some in the main factory but not to those in the annexe, claiming that some were not doing the whole of a job previously done by men, or that particular jobs had always been done by women before the war. Women AEU members were involved in several disputes over the 90% issue, particularly at Cooper Engineering, Mascot and AWA, Ashfield.

In March 1943 Heagney noted that 'considerable discontent' existed at Coopers owing to differential rates between women on the same jobs. Those working in the annexe were still on the MTA rate, while those in the general engineering shop had been paid 90% and back pay.⁵⁸ At the end of April the workers being paid the MTA rate 'threatened reduction in output to 60% of male output unless rates were equalised.' After Heagney explained the current legal position concerning the WEB at a stop-work meeting, the women agreed to continue working at present and leave the disputed matters to the union for further action.⁵⁹ By June the women were being pressed for increased production, with the promise 'that when they achieve 90% of the set task for three weeks, they will receive the 90% rate with retrospective pay for three weeks.'⁶⁰

⁵⁶ 'Report of the Organiser of the Women's Section ...', *op. cit.*, p. 3.

⁵⁷ Heagney, 'Women in the Engineering Industry', *op. cit.*, p. 54.

⁵⁸ Heagney logbook, entry dated 24/3/43, Box 1159/4(a), Heagney Papers, SLV.

⁵⁹ *Ibid.*, 29/4/43.

⁶⁰ *Ibid.*, 1-3/6/43.

At the end of July a stop-work meeting demanded payment of the WEB rate by late August. The company then changed tactics by reclassifying some women as gaugers, taking them off machines and placing them on inspections, with only those classed as machine operators being paid the WEB rate.⁶¹ However, it subsequently reversed this decision, and Heagney was able to report in November that all the women workers at Cooper Engineering were receiving the WEB rate.⁶² Thus, after several months of attempting to avoid paying the Board's award made in January, the company finally caved in following the High Court's ruling in August that the WEB's past decisions were legally valid.

In December 1943 150 women AEU members at the aircraft instrument assembly section of Amalgamated Wireless Australasia (AWA) decided to strike until they were all paid the WEB 90% rate. After three weeks they 'were prevailed upon to return to work', on the understanding that the Attorney-General would take legal action against the company. Their strike followed many months of frustration over AWA's refusal to pay the higher rate and finally, a decision by the WEB's Committee of Reference that only three-quarters of the women were entitled to it.⁶³ This meant that 77 women would be paid the WEB rate, 43 would stay on the MTA and 33 would receive a 50/50 rate. The women AEU members believed that the decision was unfair, as the work of those left on the MTA was just as important as those placed on 90%. At a stop-work meeting in December they resolved to cease work until everyone received the WEB rate. In early January the union advised them that the Attorney-General would take out a summons against AWA on behalf of all the women in the instrument section, provided they first resumed work; which they agreed to do.⁶⁴ In late 1944 Heagney recorded a postscript to this case, noting that most of the women in the AWA instrument assembly section being paid the WEB rate could soon expect to lose their

⁶¹ *Ibid.*, 28/7/43, 2/8/43, 23-26/8/43.

⁶² 'Report of the Organiser of the Women's Section', *op. cit.*, p. 8.

⁶³ Heagney, 'Women in the Engineering Industry', *op. cit.*, p. 53; *MJR*, January 1944, p. 4.

⁶⁴ Heagney Logbook, *op. cit.*, 16/12/43, 4/1/44.

jobs because of a reduction in orders. A conference between representatives of the AEU, ASE and management had agreed that:

- (1) Men and boys should have preference over women when question of retentions arises, particularly where women are on WEB rates.
- (2) AWA agrees to this policy as correct as women came in to replace males during the war and have not been regarded as permanent where WEB rates apply.
- (3) Company will only substitute male labour for female labour on jobs where male labour is equal or better than female labour; i.e. where deftness and aptitude of women give them advantage in output etc., they will be retained at 90% of male rate.
- (4) In deciding which women will be retained in jobs not given back to males, selection will be on the basis of efficiency, attendance and conduct.⁶⁵

In her report to the first meeting of Sydney District women shop stewards in November 1943, Heagney noted that in relation to disputes in the workshops, women members acquire 'a fair knowledge of the legal position regarding wages and conditions as well as an understanding of union procedure in collective bargaining and negotiation.' As a rule, she went on:

they are prepared to deal logically and tolerantly with new grievances as they arise, but it must be admitted that they do not take kindly to rebuffs and frustration when they think they have just cause for complaint.⁶⁶

By the time of the second shop stewards conference in September 1944, several delegates had become elevated tradesmen through the dilution regulations, 'doing good work as machinists, bench hands and inspectors.'⁶⁷ At a conference session on post-war rehabilitation for women workers, Heagney noted the emergence of three distinct viewpoints. Women aged 20-30 years who had worked in munitions for over four years, 'desired to continue on an equal footing with men in the industry and in the union.' She believed that this group 'would fight hard to remain in the industry when war ceased.' Those aged 30-40 years 'stressed the wisdom of a realistic approach to the problem of post-war industry' by preparing for the return of many women war workers to traditional women's occupations. And women aged over 40 emphasised 'the need for continuity of family income and provision of creches and nursery schools,

⁶⁵ *Ibid.*, undated, probably September or October, 1944.

⁶⁶ 'Report of the Organiser of the Women's Section', *op. cit.*, p. 3.

⁶⁷ Heagney, 'Women in the Engineering Industry', *op. cit.*, p. 54.

as well as social services, to assist working mothers in all industries.’⁶⁸ The opposing views of two of the speakers in the session were highlighted in a press report. One, a young widow who was a first-class welder earning the full male rate of £6/18/-, declared ‘she wanted to stay in the industry.’ After working as an unskilled junior textile worker, plus casual work at nights, she had done a six-months’ welding course at a technical college to become an added tradesman. ‘After all that trouble to get somewhere I want to stay in my job,’ she said. However, a second-class machinist who was also on the full male rate, believed ‘it would be folly to think that we can all retain the jobs we now hold,’ and that many women will go back to traditional women’s jobs at low pay rates.⁶⁹

The Sheet Metal Workers’ Union:⁷⁰

In contrast to the AEU’s size and wealth, the SMWU was a much smaller and poorer union before and during the war. It was the end of 1936 before it began publishing a modest printed journal, and 1940 before the Victorian branch was able to obtain a car and a typist. Sheet metal working was not even recognised as an apprenticeship trade until 1938, after many years of agitation.⁷¹ A small number of women had been employed on sheet metal work, particularly canister-making for tinned foods, since the 1920s. The 1930 and 1935 Metal Trades Award (MTA) defined the classes of work in the metal industry on which the employment of female labour was permitted: the manufacture and assembly of small parts of electrical and other machinery and appliances, armature winding, core-making, and work in the sheet metal, enamelling

⁶⁸ *Ibid.*, p. 55.

⁶⁹ *SMH*, 15/9/44, p. 5.

⁷⁰ The full name of the union during the war was the Sheet Metal Working Industrial Union of Australia (and following an amalgamation the words, Agricultural Implement and Stovemaking, were included); however, the simplified version is used throughout this thesis.

⁷¹ Stone, *op. cit.*, p. 13.

and canister-making industry.⁷² In the 1930s, Tsokhas noted, the SMWU 'began to confront seriously the position of women in sheet metal workshops.' As it became clear that lower-paid female workers 'were able to do male work with equal skill and proficiency', unions found it increasingly difficult to prevent employers from hiring them. In 1934, the Federal Council decided to take steps to enroll women and State branches demanded that they be employed 'at the equivalent male rate or close enough to it.' By 1938, the large NSW branch was promoting equal pay for women;⁷³ however, it apparently did not recruit any female members before the war.⁷⁴

The SMWU's initial response to the large influx of women into the metal industry was to accept them in the industry and as members, but to try to ensure that they were limited to the types of jobs previously done by women under the MTA. Thus, in March 1940, the Federal Conference resolved that branches 'guard against the invasion of female labour into work other than that on which they were engaged at the time of the 1930 Award.'⁷⁵ The previous month, in response to rumours that a Sydney firm might employ female labour on soldering, the NSW branch executive had resolved 'to watch this matter and to take the steps necessary to prevent it.'⁷⁶ When the firm moved to employ women on soldering in late 1941, it was warned that the union 'would strongly oppose any attempt to do this.'⁷⁷ Shortly after, its request to employ women at male rates on the manufacture of small tinplate cylinders for military purposes was agreed to, 'subject to strict conditions to guard against displacement of male workers and to provide a definite restriction on the work done.'⁷⁸

⁷² 34 CAR 449, p. 469.

⁷³ Kosmas Tsokhas, *Work Practices and Sheet Metal Workers, 1929-1970, Working Papers in Economic History*, No. 116, Canberra: Australian National University, 1988, pp. 33-4.

⁷⁴ Stone, *op. cit.*, p. 13. The NSW branch's report to the union's 1942 Federal Council meeting stated: 'Where previously the branch did not recruit women members we now have a number of women and girls.' - Minutes, Federal Council meeting, 3-10/4/42, p. 10, Box E196/2/6, SMWU Collection, NBAC; and *The Sheet Metal Worker* [hereafter *SMW*], June 1942, p. 6.

⁷⁵ Minutes, Federal Conference, 23-26/3/40, p. 15, Box E196/2/6, SMWU Collection, NBAC; and *SMW*, April 1940, p. 7.

⁷⁶ Minutes, NSW Executive Committee meeting, 20/2/40, Box E196/2/3, SMWU Collection, NBAC.

⁷⁷ *Ibid.*, 2/9/41.

⁷⁸ Minutes, NSW branch general meeting, 23/10/41, Box E196/2/3, SMWU Collection, NBAC.

The South Australian branch was also concerned about employers' moves to put women onto soldering without the union's agreement. It reported to the Federal Council meeting in April 1942 that one firm was already employing female labour on soldering small articles, and that although it had refused another firm's request for the union's agreement to the training of females for soldering, the proposition went ahead.⁷⁹ A few months earlier, the branch had said that the question of female labour 'is a burning one' in South Australia, and that members 'must make up their minds as to the conditions under which they are prepared to tolerate this class of labour.'⁸⁰

According to Tsokhas, in the early years of the war the union 'was able to insist on three key patriarchal principles.' Firstly, that women 'should not be allowed to replace men or to undermine male wages by constituting an available pool of cheap labour.' To secure this, the union demanded equal pay, or sufficiently close to male rates that there was no incentive to replace men with women. 'The assumption behind this policy was to make women no more attractive financially than men, in the belief that given a choice between men and women who received equal pay, employers would choose men rather than women.' Secondly, that women 'could only be employed if men were not replaced, and more generally, if males were not available to do the work.' And thirdly, female employment in male jobs 'was affirmed to be a temporary and limited development. The less skilled the job the more acceptable that women be hired to do it. Supervisory occupations remained the preserve of males.'⁸¹

At its Federal Council meeting in April 1942, held shortly after the issue of regulations establishing the WEB, the union determined its attitude towards employment of female war workers in industry. It demanded that 'wage rates established for all work be maintained by absolute enforcement of equal pay for equal work, regardless of sex';

⁷⁹ Minutes, Federal Council meeting, 3-10/4/42, p. 4, Box E196/2/6, SMWU Collection, NBAC; *SMW*, June 1942, p. 4.

⁸⁰ *SMW*, December 1941, p. 2.

⁸¹ Tsokhas, *op. cit.*, p. 34.

and that 'employers be prevented from employing females on work previously performed by males,' until the appropriate authority and unions decide on the suitability and scope of such work, conditions and wage rates. The executive was instructed to take whatever action was required to ensure increased rates for women in the aircraft industry.⁸² The NSW branch was concerned about the need to organise and recruit women: 'Now that the numbers have greatly increased it is important that they should be members and under the control of the union.'⁸³ The union's journal also emphasised the necessity of recruiting female workers in the munition and aircraft sections of the metal industry, so that 'they will receive the protection of our organisation and be able to play their part in the struggle to maintain and improve conditions.' It pointed out that the FIA already had thousands of female members and that the ASE (Australasian Society of Engineers) had commenced organising others.⁸⁴

Prior to the WEB's functioning, the union had succeeded in gaining the full male rate for women members in munition factories working on presses, soldering, drilling and assembling. Their 100% rate could not be reduced by the Board's later 90% award to female munition workers in government factories. In August 1942 the journal reported that the union would press forward with a 100% claim to the WEB for female members employed in the aircraft industry, who were currently receiving the female basic wage plus the male skill margin for the classification.⁸⁵ It subsequently claimed the full male rate for female assemblers, rivetters, second-class sheet metal workers, and others working on the overhaul and maintenance of aircraft.⁸⁶ The Board's 'common rule' decisions for both the aircraft industry and the metal trades were given in late January 1943, with females engaged on work previously or usually done by males being awarded 90% after a one-month probation period at 66.6%.⁸⁷

⁸² Minutes, Federal Council meeting, 3-10/4/42, p. 16, Box E196/2/6, SMWU Collection, NBAC; *SMW*, June 1942, p. 7.

⁸³ *ibid.*, p. 10; *SMW*, June 1942, p. 6.

⁸⁴ *SMW*, April 1942, p. 1.

⁸⁵ *Ibid.*, August 1942, p. 1.

⁸⁶ Application No. 201 of 1942, File 854, Series MP 346/1, AA Victoria.

⁸⁷ 49 CAR Appendix 58 (WEB 93, Aircraft Industry, 28/1/43); 49 CAR Appendix 62 (WEB 94, Metal Trades, 29/1/43).

At this time, Rosemary Archdeacon was a tradesman's assistant (second-class sheet metal worker) doing dismantling and rivetting at Australian National Airways at Mascot Airport. She was the SMWU's delegate for the women workers and gave evidence to the Board's hearing in December 1942.⁸⁸ Archdeacon had started in the sheet metal section on the female MTA rate of £3/12/6, an improvement on her previous wage of £2/15/- as a dressmaker. Generally, she said, 'the women were satisfied with their pay', as with the longer hours (60 per week) 'they earned more than other women factory workers.' However, she made it known:

that the men in the forces should be protected from women being used as cheap labour and taking their jobs. I felt that women should be paid the same rate as men or close to it, so that the men could be on equal terms when the war ended.⁸⁹

Following the Board's decision the 90% rate was paid only once, before being cut off on the next pay day while the employers appealed for further interpretations of the Act. 'Of course, the girls were angry reacting quickly to the pocket nerve ... all the women non-unionists rapidly lined up to me at my job, asking to become members, so that I would ask the Union to fight for us.' The NSW branch secretary, Tom Wright, advised Archdeacon that in order to legally qualify for an appeal, the women would need to hold a stop-work meeting and have a majority vote to call for a hearing. This was done and the 90% rate was eventually restored. Their stop-work action also resulted in formation of a shop committee of union delegates and monthly meetings with ANA management.⁹⁰

Another aircraft worker, Rose Cruickshank, joined the SMWU while working as a rivetter for the Department of Aircraft Production at Newport in Melbourne. The WEB rate brought her wages up to £14 a fortnight. 'When I got that first high pay I thought I

⁸⁸ Transcript of WEB hearing, 7/12/42, pp. 17-20, File 854, Series MP 346/1, AA Victoria.

⁸⁹ Joan Curlewis, 'The Sheet Metal Workers' Union, N.S.W. and its Women Members During World War II', in *Women and Wages in the War Years 1940-1945: Sheetmetal Workers' Union*, Sydney: Union of Australian Women, 1982, p. 29. See also: Joan Curlewis, 'Women Working in Heavy Industry in World War II', in Women and Labour Publications Collective, *All Her Labours, Vol. 1*, Sydney: Hale & Iremonger, 1984, pp. 97-108.

⁹⁰ Curlewis, 'The Sheet Metal Workers' Union...', *op. cit.*, pp. 29-31.

was Rockefeller,' she recalled. 'Most of the girls were satisfied with the 90% of the male rate - before the war it was an unheard-of wage for women. I had never had so much money in my life.' She thought that on the whole, the women:

were more hard-working and conscientious than the men, I think partly because we were new to working in industry and didn't know the lurks. The men had years of experience at dodging. And of course it was a challenge to us to prove we could do men's jobs ... Some of the men resented the women, but others accepted us well.⁹¹

Mrs. Pearson, a union delegate at Chullora Aircraft in Sydney, also commented on the attitudes of male workers towards their female co-workers:

At first the men in the factory were inclined to resent the presence of women but after a time became more friendly and gradually used to come over and help the women with their work. Some of them objected to women in industry, and some of them still resent our presence in the factory, but I think on the whole we have been accepted as a permanency in industry. When it was doubtful that the 90% would be paid the men stuck with us, and I think we owe a lot to the union for this attitude among the men.⁹²

Of 3,618 new members enrolled in the NSW branch during 1942, 1,600 were women. The Federal secretary, Albert McNolty, described the growth in female recruits, as well as activities protecting women members' interests, as the 'outstanding feature' of the union's organising work during the year.⁹³ By the end of the year, the branch had appointed a women's organiser, Doris Beeby (who held the position until November 1945), as well as women job delegates in all the major workshops and several smaller ones.⁹⁴ The union was anxious that 'there shall be no division of interests' between male and female members. Although it recognised that women have some special problems, 'generally speaking, the welfare of women coincides with the welfare of men, and workers can only improve their conditions if they have a united front and speak with one voice.'⁹⁵

⁹¹ Curlew, 'Women Working in Heavy Industry...', *op. cit.*, pp. 101-2.

⁹² Curlew, 'The Sheet Metal Workers' Union...', *op. cit.*, p. 6. The comments were made at the NSW SMWU's first conference of women delegates held in February 1943.

⁹³ Federal Secretary's Report to Federal Council members, 22/3/43, Box 9, Z267, Tom and Mary Wright Collection, NBAC. The total number of new members, nationally, during 1942 was 7,030.

⁹⁴ *SMW*, October 1942, p. 1; December 1942, p. 3.

⁹⁵ *Ibid.*, December 1942, p. 3.

Sixty-five women delegates from aircraft, sheet metal working and canister factories attended the branch's first women's conference in February 1943. Discussion items included the WEB and the 90% rates; working conditions in the factories; women's production compared to men's; the causes of absenteeism among women; and ways to interest more women in union affairs. On Tom Wright's recommendation, the conference elected a seven-member Women's Organising Committee, which he promised 'would be given a large measure of authority to take up the questions of the women members.' This 'appears to be the first attempt by any Australian union to set up a permanent committee of women members to deal specifically with the problems of women workers,' Curlewis commented.⁹⁶ (It was hardly permanent, however, as it was disbanded at the end of the war.⁹⁷) A resolution was unanimously adopted protesting against the delay by some employers to obey the WEB's common rule decision and warning them of the likely consequences:

While pledging ourselves to avoid stoppages of work, which can only be harmful to the war effort, we warn the employers concerned that there is very strong feeling among women employees about the delay, and that further delay will lead to serious disputes, for which the employers will bear full responsibility.⁹⁸

At that time, some twenty firms in Sydney, acting under instructions from the Metal Trades Employers' Association (MTEA), had still not complied with the Board's decision. Most of these firms capitulated under pressure from the union and workers, but strikes were inevitable against the few who held out.⁹⁹ Taking strike action was a difficult decision for the SMWU, which fully supported the necessity to sustain defence production levels and to condone strikes only as a last resort, if unavoidable. This policy was reflected in the women's conference pledge to avoid stoppages of work which would harm the war effort, and was in line with the ACTU's policy.¹⁰⁰

⁹⁶ Curlewis, 'The Sheet Metal Workers' Union...', *op. cit.*, pp. 15-16.

⁹⁷ *Ibid.*, p. 17.

⁹⁸ *Ibid.*, p. 15; and *SMW*, April 1943, p. 3.

⁹⁹ *Ibid.*, p. 9.

¹⁰⁰ Industrial War-Time Policy adopted by ACTU Executive Meeting, 15-17/12/41, *MJR*, February 1942, p. 3. It declared that 'stoppages of work or any form of industrial dislocation was to be sanctioned only after the most complete exhaustion of conciliatory methods.'

However, in the face of the intransigence of those employers refusing to pay the 90% WEB rate, the union did support strikes by its women members to gain their pay rise.

In April 1943, 120 SMWU members (including 40 men) walked off the job at the Sydney firm of Kavanagh and English, with the union's sanction. Their action followed three months of efforts, including two stop-work meetings, to gain the WEB rate awarded to all the women employees in mid-January. With support from the MTEA, the firm maintained that the rate applied to only a small number of women working in particular classifications. Three weeks after the strike began, the NSW Labor Council, at the workers' request, called on the Federal government to either take over control of the factory or to cancel its contracts. The firm's managing director described this action as 'most extraordinary' as it 'implies that the present management is inefficient.' The company is 'prepared to pay the women what they are entitled to when a competent authority determines what that is,' he said. 'So far we have not been able to find that competent authority.'¹⁰¹ Two weeks later, the firm made a satisfactory settlement under which the great majority of the women received the 90% rate, i.e. those employed on 20 out of the 21 disputed jobs and classifications. It was 'an important victory' for the union, Tom Wright said, while the journal commented that 'a feature of the strike was the 100% solidarity of the employees concerned [who] set a splendid example in unity and confidence in the union.'¹⁰² Another outcome was extensive improvements in conditions, including 'an excellent dining-room and other amenities not provided previously.'¹⁰³ The women's conference in February had sent a letter of protest to the firm expressing their 'horror and wholehearted disgust' at the 'vile conditions' existing in the factory, after delegates had reported that it was very dirty and 'infested with vermin.'¹⁰⁴

¹⁰¹ *SMH*, 6/5/43, p. 7.

¹⁰² *SMW*, June 1943, pp. 1, 3; Minutes, NSW Executive Committee meetings, 3/3/43, 13/4/43, 7/5/43, 25/5/43, Box E196/2/3, SMWU Collection, NBAC. See also *Tribune*, 10/6/43, p. 6 and Curlewis, 'The Sheet Metal Workers' Union...', *op. cit.*, p. 10.

¹⁰³ *SMW*, June 1943, p. 3.

¹⁰⁴ Curlewis, 'The Sheet Metal Workers' Union...', *op. cit.*, p. 10, and 'Women in Heavy Industry...', *op. cit.*, p. 100.

A five-week strike in mid-1944 at the Sydney canister-making firm of Richard Hughes, followed twelve months of disputation over the firm's non-payment of the WEB rates. This was an extremely difficult and complex battle for the union, involving much time, effort and money in appearances before the WEB Committee of Reference, a High Court challenge by the employer, appeals for Federal Government intervention and further legal action, before a settlement was reached. The strike was very much a 'last resort' attempt by the women workers to gain their long-awaited 90% rate. It resulted from their frustration at the failure of all the union's efforts to achieve a satisfactory outcome through conciliatory methods, and their anger at the employer's delaying tactics and defiance of the WEB. In August 1943, six months after the WEB's 'common rule' metal trades decision, the NSW branch pressed the firm for payment of the 90% rate to its female employees, and a month later the women workers on the night shift stopped work in support of their claim. However, because the MTEA had referred the matter to the Arbitration Court, the union recommended that they resume work.¹⁰⁵ In October the branch took the case to the Committee of Reference, which had been set up to resolve disputes over payment of the WEB rates; a month later the Committee decided in favour of the union, meaning that the women would receive the increased rates plus considerable retrospective pay. 'This was a most difficult case,' the union journal commented, which has been settled 'to the full satisfaction of the union.'¹⁰⁶ However, the 'victory' was short-lived.

Backed by the MTEA, the company took out writs challenging the decision, as well as the legal validity of the regulations establishing the Committees of Reference. Notices were also placed in the factory stating that only a few women would be paid the prescribed rates. The union sought support from the Federal Attorney-General and the Metal Trades Federation, which agreed that all metal industry unions would share in the

¹⁰⁵ Minutes, NSW Executive Committee meeting, 28/9/43, Box E196/2/3, SMWU Collection, NBAC.

¹⁰⁶ *Ibid.*, 18/11/43; *SMW*, December 1943, p. 3.

legal costs.¹⁰⁷ The High Court's judgement went against the union, by overturning the Committee's decision on the grounds that it had exceeded its jurisdiction, but as the issue of the validity of the regulations was not dealt with, the Committee was able to continue functioning. The union again referred the matter to the Committee and its claims were upheld.¹⁰⁸ However, the matter dragged on for many more months, with most of the women workers still not receiving the 90% rate. The union then prosecuted the firm, while the Attorney-General proceeded with High Court action to recover back pay due to the female employees amounting to £7,900. By April 1944, all disputes between the union and Sydney firms over payment of the 90% WEB rate had been settled, except for Richard Hughes.¹⁰⁹ Following the firm's conviction in June, a deputation of women wipers at the factory unsuccessfully sought an undertaking from management as to payment. Twenty-eight women then stopped work and the next day, 200 other workers were told there was no work for them because of the wipers' strike. The union organiser reported that at a mass meeting, 'it was only with great difficulty that all of the employees were restrained from ceasing work.'¹¹⁰ Work resumed five weeks later after a compromise settlement had been reached. Under the agreement, the firm paid £3,000 as part-payment of retrospective pay to the female employees and undertook to pay the 90% rate in all disputed cases, and all parties abandoned further legal proceedings.¹¹¹ The union paid tribute to its women members at Richard Hughes, saying that without their 'strong trade union spirit ... we could not have won this fight.'¹¹²

¹⁰⁷ *Ibid.*, 7/12/43; Curlewis, 'The Sheet Metal Workers' Union...', *op. cit.*, p. 12. The writs were initially issued in the NSW Supreme Court and later transferred to the High Court.

¹⁰⁸ Minutes, NSW general meeting, 16/12/43, Box E196/2/3, SMWU Collection, NBAC; *SMW*, February 1944, p. 1. For further information on Richard Hughes' legal challenge and the High Court's judgement, see the MTEA's publication, the *Metal Trades Journal*, 15/12/43, p. 324 and 1/1/44, pp. 3-4.

¹⁰⁹ Minutes, NSW Executive Committee meetings, 26/4/44, 23/5/44, Box E196/2/3, SMWU Collection, NBAC; Curlewis, 'The Sheet Metal Workers' Union...', *op. cit.*, pp. 12-13; *SMW*, April 1944, p. 1.

¹¹⁰ Minutes, NSW Executive Committee meeting, 20/6/44, Box E196/2/3, SMWU Collection, NBAC.

¹¹¹ Minutes, NSW general meeting, 27/7/44, Box E196/2/3, SMWU Collection, NBAC; Executive Committee meetings, 1/8/44, 24/8/44; Curlewis, 'The Sheet Metal Workers' Union...', *op. cit.*, p. 13. For detailed information on the Richard Hughes dispute, including correspondence between the union and the company, see Box P120/976, SMWU Collection, NBAC.

¹¹² Curlewis, *ibid.*

In mid-1943, a strike by 132 women members at the Melbourne firm of Simmonds Aeroaccessories lasted for nearly four months. The firm had undertaken to pay the 90% rate in accordance with the WEB's January metal trades decision, but later refused. In April it joined five other companies, the Victorian Chamber of Manufactures and the MTEA in a High Court challenge to the validity of the Women's Employment Act and regulations, as well as the Board's past decisions. (This legal action resulted in the WEB being inoperative until its reconstitution in late October). When the Simmonds' workers learnt of this action, 'feeling reached boiling-point and a strike commenced.' Some 150 male AEU members who ceased work in sympathy, also stayed out for the duration of the strike.¹¹³ In the Arbitration Court hearing, Judge O'Mara made no secret of his sympathy for the employers and his opposition to industrial action to enforce the WEB rates. Noting that the company denied it was obliged to pay the rates claimed and that it had taken legal proceedings, he commented:

I may say that in my opinion these strikes against the alleged refusal of employers to observe decisions of the Women's Employment Board are indefensible. If the employers are legally obliged to pay they can be made to discharge their obligation by legal process, and these strikes are not only silly but futile. It is extremely unlikely that any employer who is disputing his liability on legal grounds will run the risk of making any payment in excess of the award rate until the matter is decided by the High Court.¹¹⁴

After the High Court upheld the validity of the WEB's 'common rule' decisions, the firm capitulated and agreed to payment of the 90% rate to all its female employees.¹¹⁵ The Victorian branch later reported that it had pursued all avenues to avoid a stoppage, but when these efforts failed and the women struck it 'had no other course left but to support them in their decision to cease work.' Branch officials 'had endeavoured along with the shop committee to try and come to satisfactory arrangements with the company to avoid any cessation of work,' which would have succeeded if the Chamber had not prevailed upon the management to refuse payment of the 90%. The report noted that 'the cooperation and determination of these women workers along with the

¹¹³ *SMW*, June 1943, p. 1; *MJR*, June 1943, pp. 4-5, September 1943, p. 3. See Chapter Five for discussion of the employers' High Court action, also the *Metal Trades Journal*, 1/5/43, p. 116.

¹¹⁴ *MJR*, June 1943, p. 4.

¹¹⁵ *SMW*, October 1943, pp. 1, 2; *MJR*, September 1943, p. 3.

support given by the male members of the AEU was something of which the union could be proud.’¹¹⁶

As discussed in Chapter Seven, whilst the SMWU and the FIA continued to advocate the principle of equal pay, they accepted the WEB’s 90% standard rate for the metal industry as being the best result possible from the Board and the government at that time. But according to Curlewis, the SMWU ‘never accepted 90% as being a true expression of the relative efficiency of men and women workers on the same job.’¹¹⁷ The union had applied to the WEB for equal pay, but following the employers’ High Court action and suspension of the Board’s work, the hearing was deferred indefinitely.¹¹⁸ In late 1943 it again applied to the Board to vary its 90% decisions by granting 100% of the male rate to all female SMWU members coming under its jurisdiction. ‘This means that we will have to establish that women’s productivity and efficiency are equal to that of male workers,’ the journal noted.¹¹⁹ But apparently this application was either withdrawn or was not heard before the WEB’s dissolution in October 1944. The NSW women’s organiser, Doris Beeby, reported that the union deferred its application because of the high absenteeism figures for women workers which, if published, ‘would have a very bad effect on the campaign for equal status.’¹²⁰

The union summed up its views on women’s wages shortly after the Curtin government’s resounding victory in the 1943 elections. It believed that whilst the WEB should continue to operate, ‘the government should use its majority in both Houses at the earliest possible moment to legislate for equal pay for the sexes in all cases where women have taken over men’s jobs.’ It should also take definite steps to establish full equality of the sexes in employment generally: ‘Instead of receiving only

¹¹⁶ Minutes, Federal Council meeting, 3-6, 11/4/44, pp. 5-6, Box E196/2/6, SMWU Collection, NBAC.

¹¹⁷ Curlewis, ‘The Sheet Metal Workers’ Union....’, *op. cit.*, p. 20.

¹¹⁸ *Ibid.*

¹¹⁹ *SMW*, December 1943, p. 3.

¹²⁰ Curlewis, ‘Women in Heavy Industry...’, *op. cit.*, p. 99, and ‘The Sheet Metal Workers’ Union...’, *op. cit.*, p. 20.

54% of the basic wage, women workers should receive the full basic wage and also the same margins as male workers, according to the occupation.'¹²¹ The 1944 Federal Conference adopted a similar resolution, urging the government:

to give immediate consideration to the question of raising the status of the great majority of women workers who are still receiving only the rate awarded by the Arbitration Courts in the pre-war period. We request that the Commonwealth Arbitration Act be amended, or that special legislation be introduced to give to all women workers the conditions now enjoyed by that section of women employed under the jurisdiction of the Women's Employment Board.¹²²

During 1944 the SMWU successfully fought to increase the wages of women workers employed by Australian National Airways (ANA) in three states. The WEB's aircraft industry decision had awarded 90% of the male rate for the particular job being performed. In spite of repeated protests from the union, ANA was paying all its women employees 90% of the process worker's rate. The union maintained that they were using a variety of tools and doing work requiring considerable skill which was largely interchangeable with that done by men and that therefore, they should be receiving 90% of the second-class bench hand's rate. In January when the company refused a NSW Arbitration Court order to pay the increased rate, the union prosecuted it for breaching the WEB's decision.¹²³ Shortly after, ANA management agreed to the reclassification of those women previously classified as process workers; by August, ANA's female workers in Melbourne had also been correctly classified and later, a number of women in Queensland were also deemed to be second-class sheet metal workers.¹²⁴

The union's Federal secretary, Albert McNolty, commented in April 1944 that branch officials had been very active in all spheres in implementing the WEB's decisions, also that the work entailed had been enormous because of the employers' 'obstructive tactics'. 'I can safely say that no union has done more to see that the Act was carried

¹²¹ *SMW*, October 1943, p. 1.

¹²² Minutes, Federal Conference, April 1944, p. 13, Box E196/2/6, SMWU Collection, NBAC.

¹²³ *SMW*, February 1944, p. 3.

¹²⁴ Minutes, NSW Executive Committee meeting, 28/3/44, Box E196/2/3, SMWU Collection, NBAC; *SMW*, August 1944, p. 3 and April 1945, p. 2.

out to the benefit of the trade union movement.' The number of applications made to the Board 'was greater than any other union in Australia,' he said.¹²⁵ Total female membership figures numbers are not known; however, some 2,000 women members had attended a mass meeting in Adelaide, and there were 2,000 in the NSW branch at April 1944. The number in South Australia and Victoria 'was great enough to warrant them having representation' on the management committees of these two branches, McNolty noted. Women members in NSW 'display a high level of trade unionism' and had elected 'efficient and capable shop stewards,' Tom Wright said;¹²⁶ however, no women came onto the executive committee. Doris Beeby commented about attitudes towards trade unionism among the women workers, the great majority of whom were 'new to industry and new to unionism':

There has been the attitude amongst a section that being in a union was "not quite nice", but it is amazing the way that attitude has melted in the face of the growing realisation that the way to get equal pay and better conditions, and protection from exploitation, is to get into the union ... Once they have a practical illustration of the value of organisation they are inclined to be enthusiastic and to become good unionists.¹²⁷

The Federated Ironworkers' Association of Australia:

The FIA's inaugural meeting was held in Sydney in September 1908 and its first conference took place in Melbourne in April 1909. The union was registered with the Commonwealth Arbitration Court in May 1911 and by 1914, its membership numbered 5,561. It grew rapidly during World War I, partly through amalgamations, and from 1916 to the early 1920s membership fluctuated between 8,500 and 9,500. By 1929 it

¹²⁵ Minutes, Federal Conference, April 1944, p. 3, Box E196/2/6, SMWU Collection, NBAC.

¹²⁶ *Ibid.*, pp. 2, 9.

¹²⁷ 'Women in the Metal Trades', typescript of speech by Doris Beeby to a United Associations of Women meeting, probably in January 1943, p. 4, ML MSS 2160, 'Equal Pay Vol. III', United Associations of Women Papers, Mitchell Library. Beeby resigned as women's organiser in November 1945 because of the 'serious decline' in the female membership in NSW, particularly in aircraft production - see Minutes, NSW Executive Committee meeting, 6/11/45, Box E196/2/3, SMWU Collection, NBAC.

had reached 14-16,000.¹²⁸ In the early 1930s, however, as the depression hit the steel industry throughout the country, the FIA 'barely kept its head above water.' With over a third of its members out of work, membership fell dramatically - the Sydney branch alone lost 3,000 members between 1928 and 1931 and the Federal Council and branches were almost bankrupted. As the economic crisis began to lift in the mid-1930s, the union 'entered a period of rapid growth and development' and by 1939 it was able to afford a full-time general secretary. Murray and White commented that 'the strength gained in these pre-war years meant it could enjoy steady growth in the long boom to follow.'¹²⁹

During the depression years many FIA members had been influenced by the activism of the Communist Party and the left-wing Militant Minority Movement within the union movement and particularly, by the CPA's work among unemployed workers. By 1936 communists occupied several branch and federal positions in the union.¹³⁰ The most prominent was Ernest Thornton who was elected part-time general secretary in 1936 (converted to full-time in 1939), and Victorian state secretary in 1938. He remained general secretary for 14 years until his resignation in July 1950 to work overseas.¹³¹ By 1939 communists held leadership positions in several branches and their presence in the union increased in the war years. After Thornton, the best-known communist official during the war was L.J. (Jack) McPhillips who became national industrial officer in late 1941 and later, assistant general secretary.¹³² As the union's arbitration advocate, he presented many of its cases in the Court and the WEB and was the main Federal official involved with efforts to gain the WEB's male pay rates for women members.

¹²⁸ Robert Murray and Kate White, *The Ironworkers: A History of the Federated Ironworkers' Association of Australia*, Sydney: Hale & Iremonger, 1982, pp. 16-18, 64.

¹²⁹ *Ibid.*, pp. 74, 86.

¹³⁰ *Ibid.*, p. 84.

¹³¹ *Ibid.*, pp. 90-1, 94, 204,

¹³² *Ibid.*, pp. 102-4, 116-7, 122.

Some women had been employed in ironworker occupations before the WEB's existence, including at Metal Manufactures' Port Kembla plant and as coremakers in machine moulding foundries; however, the number of female FIA members was very small. The union began to organise and recruit women workers after the Curtin government's decisions to proceed with large-scale female employment in industry and to establish the WEB to regulate their conditions and wages.¹³³ During lengthy Arbitration Court proceedings in 1940-41 to revise the Metal Trades Award (MTA), the FIA and other metal unions opposed extension of women's employment in the metal industry. Ernie Thornton argued that the employers' claims to allow wider female employment 'could not be justified, as there were plenty of males out of work who could still be absorbed.' Such innovations as employing women to operate lathes and other machines were not necessary, he contended, as 'thousands of workers could be taken from non-essential work to be put on the production of munitions.' When the same issue had arisen in England, unions 'had stood for the vital principle that where women are introduced into industry, they should receive the same wages as the men they replace.'¹³⁴ In March 1941, Thornton further made clear to Judge O'Mara that the union would not tolerate any attempts by employers to use the war emergency to obtain cheap labour:

We are the people who will probably have to look after the interests of the females if they come in, and we are not going to agree to private employers being able to use females on work formerly done by males at a fraction of the rate previously paid to males.¹³⁵

According to McPhillips, the union was not totally opposed to female employment at that time, but had 'a reserved attitude towards women coming into the industry to replace males' when male labour was still available.¹³⁶ Veteran equal pay activist, Edna Ryan, notes that the communist leaders of the SMWU and FIA held different views about women entering the metal industry:

¹³³ Jack McPhillips, tape-recorded interview with author, Sydney, 15/11/95.

¹³⁴ *The Ironworker*, October 1940, p. 2; December 1940, p. 6. (The journal's name was changed to *Labor News* in July 1943, following amalgamation of the FIA and the Arms, Explosives and Munition Workers' Federation).

¹³⁵ Transcript of Arbitration Court 'Conference re employment of females in munition annexes', 28/3/41, p. 133, Series A9816/3, File 1943/393, AA ACT.

¹³⁶ McPhillips, interview, *op. cit.*

It is interesting to note the difference in approach between Wright and Thornton - the tradesman and the unskilled worker. From the tradesman no prejudice so long as she got the full pay. The unskilled man did not want the women at all [as they] would take all the "soft" jobs and deprive disability men.¹³⁷

In the earlier stages of the war many union officials resisted employers' attempts to introduce low-paid women into areas of industry that had been traditional male provinces. But by the end of 1941-early '42 most had accepted that women would have to be utilised in place of men to help maintain required war-production levels. By then, in line with its total commitment to the war effort, the FIA welcomed the government's moves to facilitate women's employment at male pay rates through the mechanism of the WEB. According to Sydney branch organiser, Sid Crinion, the union decided that 'it would not hinder the entry of females into industry, but would facilitate it.' It 'set itself the task of organising the women into the union,' whereby they would be protected against exploitation.¹³⁸ Later that month, Olive Elliott, a shop delegate at AWA, became the first female member to occupy an executive position in the FIA, when she was elected to the Sydney branch management committee. She was re-elected at the end of the year and Ivy Gorman was elected as a delegate to the State Council; both women were also elected as branch representatives to the NSW Labor Council.¹³⁹ Gorman became an organiser for the Sydney branch in June 1943, holding the position until her resignation in April 1944 because of the reduced number of female members.¹⁴⁰ The Adelaide branch also elected a woman organiser, Mary Warren, in June 1943.¹⁴¹

In July 1942 the union elaborated its views on the introduction of women into the metal industry. Saying that the FIA has 'consistently championed' equal pay for women workers and has advocated this in all claims and negotiations, its statement continued:

¹³⁷ Edna Ryan, letter to author, 26/5/95.

¹³⁸ *The Ironworker*, April 1942, p. 3.

¹³⁹ *Ibid.*, May 1942, p. 7, January 1943, p. 8.

¹⁴⁰ *Labor News*, July 1943, p. 7; Minutes, Sydney branch, Special Summoned meeting, 16/6/43, and Management Committee meeting, 24/4/44, Box E175/6/1, FIA Collection, NBAC.

¹⁴¹ *Labor News*, June 1943, p. 6.

We have never sought separate rates for women. We have always asked for a rate for the job, irrespective of who was doing it, and have never considered existing female rates adequate. We do not regard any work in the metal industry as being particularly "women's work" but say that in some occupations, women can do the work equally as well as, and in some instances, better than men. Where women take over work formerly performed by male labour, we are insisting that they receive the same rates.¹⁴²

At this time, before the WEB had given its metal trades decision, the Federal Council's policy was that on women being introduced into any workshop, branch officials should endeavour to negotiate an agreement that they be paid the 'experience rate' for females prescribed in the MTA (then 73% of the basic wage with no margin), as from commencement of work. It was to be made clear that this would operate only until the WEB had assessed rates for females on that job. The union's applications to the WEB would seek for females the same rate as males would receive for doing the same work.¹⁴³ Thornton saw the organisation of women as being 'one of our biggest problems.' 'Here is the best opportunity we have had', he said:

of straightening out one of the great difficulties of the labour movement of this country - the backwardness of women, and the hostility of a large section of them to trade unionism and trade union struggles. We have to organise these women and teach them working-class politics while they are in industry.¹⁴⁴

The FIA held that it was the most appropriate union to enlist the majority of the new female workers coming into unskilled process work classifications. The other union that had recruited thousands of women engaged in munitions production during 1942, was the Arms, Explosives and Munition Workers' Federation; its merger with the FIA in early 1943 meant that the amalgamated union had, by far, the largest coverage of women workers in the metal industry.¹⁴⁵ Coverage of workers employed in skilled

¹⁴² 'Statement for Council of Action for Equal Pay', 20/7/42, p. 1, Box 1168/6, MS 9106, Muriel Heagney Papers, La Trobe Library, SLV.

¹⁴³ *Ibid.*, pp. 3-4; Minutes, FIA Federal Council meeting, 8-17/6/42, pp. 25-6, Box E102/18, FIA Collection, NBAC.

¹⁴⁴ Ernie Thornton, *Trade Unions and the War*, (Report to Federal Council meeting, June 1942), 24-pp. pamphlet, Sydney: Federated Ironworkers' Association of Australia, 1942, p. 21.

¹⁴⁵ Press reports put the combined membership of the amalgamated union at over 100,000 - see *SMH*, 28/1/43, p. 4 and 20/4/43, p. 6. Completion of the merger was set back in July 1943 when the Arbitration Court refused an application to permit the two bodies to amalgamate and to adopt the name of the Metal and Munitions Union - see *SMH*, 15/7/43, p. 7. The amalgamation was not finalised until January 1945 - see Murray and White, *op. cit.*, pp. 118-122.

occupations was out of bounds for the FIA and likewise, craft unions were not expected to encroach into unskilled work areas; however, the position of women engaged on semi-skilled or machine operations was not as clear-cut. In late 1942-early '43 the FIA was antagonistic towards the AEU, believing that as soon as it was able to enrol women, it would set out to 'poach' process workers. In December 1942 the Federal Council declared its opposition to any attempt by the AEU to change its constitution to permit female membership, and expressed its disagreement with the AEU's tactics in relation to women's employment in the industry. The FIA did not oppose recruitment by the two engineering unions of women doing tradesmen's work, its resolution said, but it was opposed to:

any further extension of the confusion now existing over the organisation of male process workers and, in view of the fact that our union has organised most of the female process workers who have been employed to date, Council considers it best that all such females should be recruited into our union.¹⁴⁶

According to Jack McPhillips, the union 'didn't endeavour to recruit women who were employed in jobs previously done by tradesmen, we said to the AEU, you recruit them. But there weren't many of them, that's why they wanted to recruit process workers.'¹⁴⁷

The WEB's first metal trades decision, given in September 1942, covered some 3,000 women employees of 18 companies producing munitions and other war materials in Victoria, SA and NSW. As with its earlier munition factories decision, it awarded 90% of the total male rate, following one month's probation at 60%, with the rates being retrospective to March.¹⁴⁸ The FIA had argued for equal pay, presenting evidence that the women 'were doing a great job and competently taking the place of males.'¹⁴⁹ 'Whilst the decision does not meet in full the union's demand for equal pay,' the journal commented, the rates are 'a considerable advance' on those prescribed

¹⁴⁶ Minutes, Federal Council meeting, 6-10/12/42, pp. 8-9, Box E102/18, FIA Collection, NBAC.

¹⁴⁷ McPhillips, interview, *op. cit.*

¹⁴⁸ WEB 32, Metal Trades Decision, 23/9/42, 48 CAR Appendix 54; *The Ironworker*, October 1942, p. 3.

¹⁴⁹ *The Ironworker*, August 1942, p. 1. The decision covered operation of lathes, milling machines, surface grinders, reamers, drills, power press, spot and seam welding machines, assembling and tool store work.

by the Court.¹⁵⁰ The decision was given on the same day the WEB's governing regulations were disallowed by the Senate, resulting in the Board being 'in limbo' for several weeks before the regulations were restored by the Women's Employment Act and the Board was reconstituted.¹⁵¹ Consequently, some of the 18 firms affected by the decision refused outright to pay the 90% rate, while others paid the higher rate but without the six months' back pay.

The FIA embarked on a campaign to pressure all the firms to abide by the WEB's award, including through strike threats, stoppages, arguments against the employers' legal actions in the Court and the WEB, and appeals to the Attorney-General's department for prosecutions of those refusing to pay. In mid-October the Sydney branch gave six companies seven days to pay in accordance with the WEB decision, or it would commence industrial action. On the expiry date, four of the planned stoppages were called off when the firms agreed to pay; the other two caved in after their women employees had held a five-day strike.¹⁵² The situation was more difficult in Melbourne where five firms, acting on advice from the Victorian Chamber of Manufactures, adamantly refused to pay the retrospective payments for the disputed period from September back to March 1942. In December, the Victorian branch's women members stopped work for 24 hours in protest against their actions.¹⁵³

Industrial unrest among women workers escalated during the first half of 1943. Employers' resistance deepened considerably following the WEB's January 'common rule' metal trades decision, which extended its 1942 decision to many thousands of women employed on similar work throughout the country.¹⁵⁴ By March the journal was reporting that the Board's decision 'had been ignored by most employers, whilst others alleged difficulty in determining to whom the decision applied.' About 2,000

¹⁵⁰ *Ibid.*, October 1942, p. 3.

¹⁵¹ See Chapter Five, pp. 154, 161.

¹⁵² *Ibid.*, November 1942, p. 1; *SMH*, 23/10/42, p. 7.

¹⁵³ *Ibid.*, January 1943, p. 3.

¹⁵⁴ WEB 94, 29/1/43, 49 CAR Appendix 62; *Labor News*, February 1943, p. 7.

women FIA members in Sydney threatened to stop work for 24 hours unless all employers promised to abide by the decision within two weeks. The stoppage was avoided, however, when the majority undertook to pay the WEB rates following a conference between employers and the union, as well as Arbitration Court proceedings. A mass meeting of women members of the FIA, SMWU and the ASE in Sydney urged their union officials 'to take all steps necessary to obtain payment in full' for all women entitled to receive the 90% rate. 'Any hold-ups that may occur in this dispute will be due entirely to the provocation of the employers and their flouting of the law,' their resolution declared.¹⁵⁵

In Victoria, women workers were particularly incensed by the actions of the Chamber of Manufactures which was leading the employers' challenge to the validity of the WEB and the regulations. As well as increased opposition following the January 'common rule' decision, five companies were still withholding the retrospective pay to March 1942, awarded under the Board's September decision. In early March 1943, the Victorian FIA management committee decided that if the back pay was not paid within ten days, members in the five firms concerned would cease work. State secretary, Bert Flanagan, had reported that the Chamber was continuing to direct the companies not to pay despite Arbitration Court decisions going against them, and that members 'are rightly asking what the union intends to do.' After discussions with the Federal office, he recommended that 'we should stop the [five] shops.'¹⁵⁶ Despite receiving a letter from the Prime Minister deploring the proposed strike and a telegram from Labour Minister Ward advising that prosecutions were being instituted against the firms, the committee held to its decision to stop work.¹⁵⁷ At a meeting on the day of the strike, the women members resolved to resume work 'pending a review by the management committee of the results of the first prosecutions next week.' In view of assurances

¹⁵⁵ *Labor News*, March 1943, p. 7.

¹⁵⁶ Minutes, Victorian branch Management Committee meeting, 9/3/43, Box E195/11/2, FIA Collection, NBAC.

¹⁵⁷ *Ibid.*, 23/3/43.

from the Attorney-General and Mr. Ward, they recognised 'that the responsibility of enforcing the law has now been taken over by the government.'¹⁵⁸

On the same day, the FIA National Council noted that 'a number of stoppages and strikes have already taken place and others are proposed in various centres.' Rather than continuing with such stoppages, it called national stop-work meetings for early April of all women members who had not received the WEB rates or retrospective pay.¹⁵⁹ Although they were subsequently cancelled, 2,000 women members in Sydney went ahead with a one-day stoppage and a mass meeting. The decision to call off the planned stoppages followed the issuing of new regulations to replace those disallowed by the Senate in March. The union believed that this step by the government to validate the Board's past decisions, would correct the legal difficulties thrown up by employers and enable all women members to receive the 90%. However, the employers proceeded with a High Court challenge against the WEB's validity, resulting in its operations being suspended until October.¹⁶⁰ The striking Sydney women members condemned the Senate's action and the employers' 'unscrupulous campaign' against the government and women workers.¹⁶¹ Branch management committee member, Olive Elliott, was reported as saying that the women 'stood loyally behind the union and were definitely opposed to striking in war time.' But she feared that:

as they have been negotiating for this wage increase for a long time, and as this was the third meeting of this kind, their patience was wearing thin. If matters remain in this unsatisfactory state for any length of time, the girls would become restive and probably lose faith in their union, with a resultant production lag.¹⁶²

The problem of non-payment of the 90% WEB rate and retrospective pay simmered along for several months with little direct industrial action, whilst the FIA continued its

¹⁵⁸ Minutes, special meeting of women members, 24/3/43, Box E195/11/2, FIA Collection, NBAC.

¹⁵⁹ Minutes, Metal and Munitions Union National Executive Council meeting [formerly FIA Federal Council], 24/3/43, Box E102/23, FIA Collection, NBAC.

¹⁶⁰ *Labor News*, May 1943, p. 6.

¹⁶¹ Resolution adopted at mass meeting of female FIA members, Sydney Town Hall, 12/4/43, attached to letter from S.E. Crinion, NSW branch assistant secretary, to E. Thornton, general secretary, Box E170/9/34, FIA Collection, NBAC.

¹⁶² *The Standard Weekly* [NSW ALP newspaper], 15/4/43, p. 5.

efforts to achieve payment by negotiations with employers and appeals to the Arbitration Court. Although much discontent remained among women workers there was a lull in activity, with both sides waiting on the High Court's judgement on the employers' writ against the validity of the regulations and the WEB's past decisions. A ten-week strike by FIA members during this period, however, should be mentioned. Although it did not directly involve the firm's non-payment of the 90% rate, this issue was a continuing grievance for its women employees who had joined in the 24-hour stoppage in Sydney in April. The strike in May-July 1943 by mainly female munition workers at the Duly and Hansford annexe in Marrickville, was caused by the refusal of ten workers (nine women and one man) to join a union and to participate in stoppages. It ended in victory for the strikers when the ten workers left their employment after the government had threatened to cancel the firm's contracts.¹⁶³ The strike was embarrassing for the FIA, Gollan commented, as it 'ran counter to the union's policy of maximum support for the war effort and avoidance of stoppages where possible.' General president, Patrick McHenry, told the Court that the national body had advised against continuing the strike in the first instance; it later decided it would do nothing to stop it, as the dispute had become 'a question of repelling a political attack' on the union and the Labor government.¹⁶⁴ Sydney branch secretary, Colin Tannock, seemed taken aback by the women strikers' militancy and commitment to unionisation. The strike 'was an amazing revelation of union solidarity amongst women workers on the question of union membership,' he told the National Council. His request for payment of the same strike pay as men, 30/- a week, was agreed to, as the women would have been receiving 90% of the male rate and paying full union fees if the employer had not refused to pay the WEB rates.¹⁶⁵

¹⁶³ Daphne Gollan, 'The Duly and Hansford Strike, 1943: Find the Strikers', in M. Bevege, M. James and C. Shute (eds.), *Worth Her Salt: Women at Work in Australia*, Sydney: Hale & Iremonger, 1982, pp. 309-18.

¹⁶⁴ *Ibid.*, p. 316. See also, *SMH*, 22/6/43, p. 7; and *Labor News*, July 1943, p. 8.

¹⁶⁵ Minutes, National Executive Council meeting, 1-2/6/43, Box E102/23, FIA Collection, NBAC.

The High Court's judgement of August 1943 upheld the legality of the Women's Employment Act and the WEB's decisions up to March 1943, including its January 'common rule' metal trades decision. The FIA's journal hailed the Court's decision as 'a big victory for the working class' and for the union, which 'has played a leading part in the fight for equal pay for women.' It meant that thousands of women workers will receive wage increases ranging from 26/- to 35/- per week and back pay of up to £60. Despite 'strenuous efforts' by employers, the union 'has been able to avoid any serious stoppage of work' and as a result of 'a long, persistent fight', members are now entitled to rates considerably higher than prescribed by the Arbitration Court.¹⁶⁶ Following the High Court's ruling, much of the resistance to paying the WEB rates crumbled and the union succeeded in gaining the higher rates and retrospective pay in many cases - although some employers continued to argue that their female workers did not come under the Board's jurisdiction. By April 1944 the Sydney branch had gained a total of £60,000 in back pay and £1,000 a week for its women members. Favourable decisions in finalised applications to the WEB Committee of Reference had put 770 women onto the 90% rate, out of 996 for whom it was sought.¹⁶⁷ Over the next month, 40 more members received the WEB rate plus a total of £3,300 back pay. This concludes 'another round in the campaign' for 100% of male pay rates for women workers, Sydney branch assistant secretary, Sid Crinion, commented.¹⁶⁸ Later, in reporting on further gains of the 90% rate for women members in two Sydney firms, which brought the total of back money secured to about £80,000, Crinion conceded that union officials:

had a hard time convincing these members that the union was really doing its utmost for them. Though we got them to accept union advice and keep at work, members did so very reluctantly, because of the tremendous delays. Now the cases are won, members should have learned the value of the discipline which helped to win them.¹⁶⁹

¹⁶⁶ *Labor News*, September 1943, p. 1.

¹⁶⁷ *Ibid.*, April 1944, p. 2; Minutes, special meeting of Sydney branch delegates and executive members, 4/4/44, Box E175/6/1, FIA Collection, NBAC.

¹⁶⁸ *Labor News*, May 1944, p. 5.

¹⁶⁹ *Ibid.*, July 1944, p. 5.

In Victoria, both the level of employer opposition to the WEB and of workers' anger at the long delays in getting their higher rates, were stronger than in other states. Nevertheless, by mid-1944, the FIA branch had gained £150,000 in back pay and weekly wage increases totalling over £2,500 for women members. This resulted from 'intensive and persistent use of every available section of WEB machinery and industrial strength,' the journal reported. The union 'had to overcome every type of legal opposition, of underhand trickery and plain stalling by employers,' before a large percentage of shops had been 'cleaned up completely' with all women on 90% rates and back money paid.¹⁷⁰ In the period following the High Court's decision when the union renewed its efforts to gain the WEB payments, several stoppages had occurred or been threatened. As the Victorian secretary told the branch in December 1943, decisions of the Committee of Reference 'had left a trail of discontent,' due to some workers being awarded the 90% and others missing out.¹⁷¹

In his examination of the FIA's wartime policies, Merritt says that the 'embarrassing' issue of strikes over women's wages frequently forced the union's communist leaders 'to choose between their war policy and established industrial aims.' They 'gave precedence to the war effort', despite the risks of disappointing their members:

They chose always first to bargain and negotiate, and to attempt to keep their members at work. When they did sanction strikes it was only after their negotiations had failed, or when they judged that an organised stoppage might forestall a lengthy dispute.¹⁷²

His point is borne out by the above summary of the FIA's efforts to achieve the 90% rate for the maximum number of female members, mainly through negotiations and pressure on employers as well as full use of WEB and Arbitration Court mechanisms and appeals for government intervention, with stoppages being a last resort. No doubt

¹⁷⁰ *Ibid.*, June 1944, p. 2.

¹⁷¹ Minutes, Victorian branch general meeting, 7/12/43, Box 195/11/2, FIA Collection, NBAC. Industrial action by women members in Victoria in this period included a week-long strike at Centrix in October 1943 and a three-four week strike at Handley's in June 1944. For details of these disputes see Minutes, Victorian branch general meeting, 26/10/43 and 30/10/44; Management Committee meetings, 2/11/43, 7/12/43, 4/7/44, 18/7/44 and 5/12/44, Box 195/11/2, FIA Collection, NBAC; *Labor News*, June 1944, p. 2 and July 1944, p. 8.

¹⁷² J.A. (John) Merritt, 'A History of the Federated Ironworkers' Association of Australia: 1909-1952', unpublished PhD thesis, Australian National University, 1967, pp. 312-3.

many of the women working in war production jobs in the industry were committed to the war effort and generally supported the union's policy against strikes. However, it is clear that officials often experienced difficulty in curbing women members' militancy and anger about the long delay in getting their pay rise; also, that their frustration was sometimes directed at the union's efforts to keep them at work while negotiations proceeded.

One such example was recorded by prominent feminist, Jessie Street, which occurred while she was working under an assumed name at a Footscray munition factory in 1943. The women workers there had decided to strike if they did not get the 90% WEB rate plus back money by the following week, and when it was not paid they held a stop-work meeting. The FIA Victorian branch secretary:

assured the women that they would soon get their money and urged them to return to work "as the boys in the trenches ..." He got no further - half those in the room rose to their feet and there were shouts of "We know all about the boys in the trenches," "They are our husbands or sons," "We won't break down conditions and do the same work for half the pay," and so on ... After a while order was restored, but the militant mood of the meeting remained. They refused to go back to work until the wage question was settled.

The women sent a telegram to the Attorney-General requesting the government to pay the difference in rates and back pay. The next day, when the union secretary reported Dr Evatt's reply to the effect, 'go back to work and he would bring pressure to bear' on the employers, 'there was nearly a riot.' According to Street, the government finally agreed to meet the costs of the extra wages pending payment by the employers, and the women returned to work.¹⁷³

The FIA also experienced difficulties in early 1944, in trying to placate women members who had been ordered by Manpower to transfer from their jobs paying the 90% rate, into low-paid jobs in canneries. Whilst the union pressed the government to increase female wages in the industry up to the WEB rates, it also supported the need for workers to go into such jobs to meet the changed war production requirements.

¹⁷³ Jessie Street, *Truth or Repose*, Sydney: Australasian Book Society, 1966, pp. 218-20.

Women munition workers in Queensland were given 24 hours' notice by Manpower of direction to canneries, where they faced a drop in weekly wages of nearly £2. These women were being kept at work 'with difficulty,' *Labor News* reported, 'while the union fights to get something better than the 'starvation wage' of £3. When women at the Bulimba Cannery went on strike, the FIA and Food Preservers Union persuaded them to resume work pending negotiations with government departments. The result was an extra 16s. more during the season, with the wage then reverting to £3/5/. Male workers received £5/7-.¹⁷⁴ In Victoria also, where the jobs of over a thousand ironworkers in munitions had cut out, women and men were directed to work in canneries and other food production works. According to the journal, FIA shop stewards 'succeeded in convincing members that they should support the union's policy, which includes support for the Government drive for food.' Women who would drop to £3 'protested bitterly' and a large number 'refused point blank' to go into food services.¹⁷⁵

In early 1944 the Federal Council directed national officers and branches to 'vigorously pursue the campaign to bring the largest possible number of women' within the 90% WEB awards. Also, that the incidence of female absenteeism be reviewed 'for the purpose of starting a new drive to lift all women on 90% to equal wages with men.'¹⁷⁶ In reporting this decision to his branch, the Victorian state secretary said that absenteeism is 'the big obstacle' in gaining the 100%, but 'the fight is not to be let up' until it is obtained.¹⁷⁷ The previous year Ernie Thornton had told the CPA National Congress that communist union officials were aiming to gain 90% and then 100% pay rates for all women in the workforce, that is, 'to spread the 90% over the greatest possible number of women'.¹⁷⁸ However, apart from the Federal Council's resolution

¹⁷⁴ *Labor News*, March 1944, p. 2.

¹⁷⁵ *ibid.*, April 1944, p. 8.

¹⁷⁶ Minutes, Federal Council meeting, 25 January-4 February 1944, p. 29, Box E102/18, FIA Collection, NBAC.

¹⁷⁷ Minutes, Victorian branch general meeting, 23/2/44, Box E195/11/2, FIA Collection, NBAC.

¹⁷⁸ Minutes, CPA 13th Congress, 19-22/3/43, Box 1(76), CY 3096, ML MSS 5021, Add-on 1936, Communist Party of Australia Archives, Mitchell Library.

and calls for equal pay from women members' conferences, there are little indications that the union 'vigorously pursued' a campaign to gain 100% rates for women coming under the WEB's jurisdiction, let alone for those still on about 54-60% of the male basic wage. Nor is there any record of the FIA having lodged an application to the WEB to vary its 90% metal trades decision to 100%. As recorded in Chapter Seven, Jack McPhillips strongly contends that it would not have been possible to have gained the extra 10% at that stage, as the WEB would not have changed its position, the Arbitration Court certainly would not have granted it and the government would not have supported any push for an increase. Nor would the members, both female and male, have sufficiently supported industrial action over the issue.¹⁷⁹ (In any case the union leadership would never have countenanced stoppages for the extra 10%).

During the war the FIA had the largest female membership, by far, of any other metal industry union. In the two years from mid-1940 to mid-1942, its total membership more than doubled - from 23,000 to 48,500.¹⁸⁰ Its merger with the Munition Workers' Federation in early 1943 greatly expanded its size and influence. Thornton estimated that the amalgamated union had over 100,000 members, a figure also given in press reports at the time of the amalgamation.¹⁸¹ At the end of 1944, however, the union had 62,268 members;¹⁸² and by August 1945, 57,674.¹⁸³ Although female membership figures are not as readily obtainable, it appears that the number of women members grew from virtually nothing before 1942, to about 25,000 in mid-1943.¹⁸⁴ In April 1943 there were approximately 3,000 women in the Sydney branch and by July, the amalgamated union had 8,500 women members in NSW. About 2,700 women had joined the Victorian branch during 1942 and their numbers would also have jumped

¹⁷⁹ McPhillips, interview, *op. cit.*

¹⁸⁰ Merritt, *op. cit.*, p. 270. A membership report in June 1942 showed 48,306 members - see Minutes, Federal Council meeting, 8-17/6/42, Box E102/18, FIA Collection, NBAC.

¹⁸¹ Merritt, p. 271; *SMH*, 28/1/43, p. 4 and 20/4/43, p. 6; *Metal Trades Journal*, 1/2/43, p. 32.

¹⁸² Murray and White, *op. cit.*, p. 122.

¹⁸³ Minutes, National Council meeting, 14-18/8/45, p. 7, Box E102/23, FIA Collection, NBAC.

¹⁸⁴ *Labor News*, July 1943, p. 8, quoting Jack McPhillips as saying that the union 'had now organised 25,000 women in Australia.'

considerably in 1943. Most women members would have been in those two states, where the great majority of the government munition factories were located.¹⁸⁵

With women members numbering around 25,000, one might assume that the FIA would have had several female organisers and branch committee members. However, its record in this regard was little better than tokenism. The sum total appears to be only two organisers, in the Sydney and Adelaide branches, for about a year and only two women on branch management committees. The election of a woman to the Victorian committee did not occur until May 1944.¹⁸⁶ Two years earlier the committee had proposed that two women be elected, also that the advisability of electing a female organiser be considered, but the next branch general meeting rejected this recommendation. The committee did appoint a woman as a temporary organiser, for one month, in October 1942. The secretary later reported that she had 'organised a lot of new shops, brought in many new members and reorganised some old shops' and that the work 'has now been caught up with due to her valuable work.' However, she was not kept on and the branch did not again have a woman organiser.¹⁸⁷ Women 'were treated as equals' in the union, McPhillips claims:

There was no discrimination about them, they were welcomed as delegates, some of them were elected to the union's committee of management in the branches, not many. Not many of them showed much interest in being on the committee, and I would have to say that if they had we couldn't have done anything to compel members to vote for women instead of men.¹⁸⁸

Certainly, many women were active members at job level, as shown by their persistence in pushing for payment of the 90% WEB rate and by the efforts of women shop delegates to enroll their co-workers and encourage their involvement in the union. As early as April 1942, the journal noted that women members 'put the males to shame

¹⁸⁵ *The Standard Weekly*, 15/4/43, p. 5; *Labor News*, July 1943, p. 8; Minutes, Victorian branch Annual Meeting, 19/1/43, Box E195/11/2, FIA Collection, NBAC. Of 39 government munitions factories in all states in 1944, 20 were in NSW and 11 in Victoria - see list in Box E170/9/73, FIA Collection, NBAC.

¹⁸⁶ Minutes, Victorian branch general meeting, 30/5/44, Box E195/11/2, FIA Collection, NBAC.

¹⁸⁷ Minutes, Victorian branch Management Committee meeting, 21/4/42; general meeting, 28/4/42; Management Committee meetings, 6/10/42, 3/11/42, Box E195/11/2, FIA Collection, NBAC.

¹⁸⁸ McPhillips, interview, *op. cit.*

when it comes to paying contributions.' They 'are well in the front in purchasing and wearing their union badges' and seem to realise 'that only organisation will get them the things they desire.'¹⁸⁹ Apart from their job activities and attendance at mass meetings of women members or at branch meetings, the union encouraged women's involvement through conferences of women shop delegates. Four such conferences were held in 1942-43, with mixed success. The first, held by the Sydney branch in August 1942, was attended by 51 women delegates from 26 shops in Sydney, Newcastle and Port Kembla. They resolved to endeavour to obtain maximum war production, to make all shops fully unionised, to maintain and improve working conditions and to work towards having women delegates on all shop committees.¹⁹⁰

McPhillips was closely involved in organisation of the second NSW delegates' conference, which he later described as 'an outstanding success'. Held in Sydney in July 1943, it was attended by 110 women delegates from NSW branches, plus 15 observers from fraternal organisations. Agenda items covered women's wage rates and the WEB, union membership and organisation, and unity and the Labor Government, also issues affecting absenteeism and production such as provision of canteens, nurseries and housing for workers.¹⁹¹ McPhillips told the delegates that the union stood for equal pay for women for two reasons:

first, the need to see that women were not used as cheap labour, forcing down male rates that had been fought for and won; and second, because of the union attitude that women, as individuals, were deserving of equality with men.

The union supported the WEB, 'not because it had given what the union wanted, which was 100% of male pay, but because it had given more than any other tribunal, 90%, and was, therefore, a progressive body.'¹⁹² He was also reported as saying that criticism of the Board was 'idle windbagging; the criticism should be against the regulations under the Act. So long as the Board has to take into account productivity, which included

¹⁸⁹ *The Ironworker*, April 1942, p. 3.

¹⁹⁰ *Ibid.*, September 1942, p. 3.

¹⁹¹ *Ibid.*, June 1943, p. 6; Women Delegates' Conference Agenda, attached to invitation letter from the FIA to the Council of Action for Equal Pay, 11/6/43, Box 1169/2, Heagney Papers, SLV; Minutes, National Executive Council meeting, 7-8/7/43, p. 8, Box E102/23, FIA Collection, NBAC.

¹⁹² *Labor News*, July 1943, p. 8.

absenteeism, there would be difficulty.’¹⁹³ Conference delegates affirmed their support for ‘the principle of the same rate for the same job irrespective of sex’ and the need to continue pressing for full satisfaction of this demand. The WEB’s decisions are ‘a step towards equal pay’ and ‘a big advance in female wage rates,’ they said. They pledged to continue campaigning in the workshops for 100% unionism and for greater participation by women in the union’s activities.¹⁹⁴

The Victorian and South Australian branches also held women delegates’ conferences later that year. These successful conferences ‘will help to activise women unionists in both states to stronger unionism,’ the union’s journal said.¹⁹⁵ McPhillips reported, however, that the Melbourne conference was poorly attended and ‘was not a great success.’ Nearly 200 delegates had been expected, but only 58 attended throughout. He was critical that ‘too many communists and union officials spoke’, that the conference ‘was quite dead and flat’ and that the people chairing sessions ‘were not the least bit inspiring.’ He gathered the impression that ‘union organisation amongst women members in Victoria is really very poor’ and that ‘our own people just do not know very much about organising women.’¹⁹⁶ At the Adelaide conference, 71 delegates represented women members at government munition plants, private factories and the Port Pirie and Whyalla branches, as well as several organisations. They called on the trade union movement to continue pressing for achievement of equal pay for equal work; and requested the Curtin government to extend the WEB’s scope to include those women workers ‘whose wages are still fixed by obsolete pre-war awards.’¹⁹⁷

There does not appear to have been any National Council decision or policy specifying the union’s views on the departure of women from the industry as war contracts ended

¹⁹³ *SMH*, 6/7/43, p. 7.

¹⁹⁴ Resolutions of Women Delegates’ Conference, attached to FIA letter, 11/6/42, Box 1169/2, Heagney Papers, SLV; *Labor News*, July 1943, p. 8.

¹⁹⁵ *Labor News*, November 1943, p. 2.

¹⁹⁶ ‘Report on Matters dealt with on Visit to Melbourne, 28-31st October, 1943’ by L.J. McPhillips, p. 2, Box E170/9/47, FIA Collection, NBAC.

¹⁹⁷ Report, Women’s Conference, Adelaide, 12/9/43, Box E170/48/14, FIA Collection, NBAC; *Labor News*, November 1943, p. 2.

and men returned from the Forces. This was probably because there was no need for unions to draw up such statements, as it had been clearly understood by all concerned that women would be employed in industry only for the duration, until men were again available. The Curtin government gave that undertaking at the end of 1941 when announcing its intention to proceed with large-scale female employment, and it was certainly a condition of the ACTU's agreement with the government's plans. There is no doubt that most unions covering traditional male industries would have agreed with the widely held social belief that women should leave their wartime jobs as soon as the men returned. Their primary concern was to ensure that returning men would be able to get their jobs back and that employers would not be able to retain women after the war on lower wages. It was probably also the case that the women workers themselves regarded their jobs in industry as short-term, although many may well have wanted to stay on if possible, while others wanted to leave work in favour of home and family. According to McPhillips, most of the women FIA members accepted that their jobs were only temporary, as it was very clear that it was a wartime measure that would end when the war was over. The union supported women coming in for a temporary period solely for the purpose of the war effort, he says, and there was no question of them being allowed to stay on.¹⁹⁸

In September 1944 McPhillips explained the FIA's views concerning procedures for dismissals of workers from Government munition factories, in letters to two Cabinet Ministers. The union wanted Manpower authorities to observe the established union principle, 'last to come, first to go', when giving permission for termination of services, with the principle being qualified in relation to married women whose husbands were working. McPhillips raised the union's concerns about the manner of recent dismissals at a western NSW factory, where there had been 'some local agitation for the dismissal of all females before any males.' Without the unions' knowledge, the Manpower head, Mr Bellemore, had refused permission to terminate male workers' services, while

¹⁹⁸ McPhillips, interview, *op. cit.*

allowing termination of females. He later told the FIA he had taken this action because he could not find local employment or accommodation for men in other places, but women could be given both at the St. Mary's explosives factory. Also, 'he could not have the spectacle of males being dismissed whereas females were continued in employment.' If this is to be the manner of dismissals, McPhillips told the Ministers:

then the principle of dismissing females before males must be a general one, applied to private enterprise also and extended to the occupations previously known as "women's work." This would mean that before any males were laid off the employer would have to dismiss all cheaper female and junior male labour. If this is not to be followed through to this extent then for our part we will want to stick strictly to the principle last to come, first to go irrespective of sex, and if this results in women being continued in employment whilst men are laid off then work will have to be found for the men.¹⁹⁹

The union is seeking to lay down a policy 'of full time permanent employment for all persons capable of working,' McPhillips continued, and 'we are opposed to a return to the order of things where men worked in workshops and women in kitchens.' He hoped that the Ministers would agree 'that the unions are justified in seeking to prevent the termination of the services of women on the WEB rates whilst females are retained in industry at the cheaper rates' of Court awards. If there is to be any modification of the principle, last to come, first to go, then the order of dismissal should be:

1. volunteers, i.e. people who desire to terminate their services;
2. women whose husbands are also in employment;
3. females employed at the lower rates prescribed by awards of the Court;
4. women on rates of pay less than 100% of the male rate;
5. all others in the order of last to come, first to go.²⁰⁰

Conclusion:

The understanding that women war workers were temporarily occupying men's jobs and would leave when the war ended, significantly affected the way they were regarded by the metal trades unions. Early in the war they were seen as a threat to male jobs, skills and pay rates and some unions actively resisted their entry or tried to ensure their confinement to low-skilled jobs. Later, they were probably still treated by many

¹⁹⁹ Letters from J. McPhillips to J. Holloway, Minister for Labour and Industry, and N. Makin, Minister for Munitions, 26/9/44, Box E170/9/72, FIA Collection, NBAC.

²⁰⁰ *Ibid.*

unionists as interlopers, or as 'transient' workers who would be in the workshops and the union for only a short time. Moreover, in this male-dominated milieu, their working-class and unionist credentials were doubted. Many of these women had previously been domestic servants, dressmakers, shop assistants, typists or full-time housewives, and the majority had never belonged to a union and knew little of unionism. But, as Doris Beeby of the SMWU observed, attitudes among the women of reserve towards unions quickly melted as they realised that the way to get better pay and conditions was to get into a union, and once they saw the value of organisation they tended to become enthusiastic unionists.

The three metal unions proclaimed that women were full and equal members, with the same rights and responsibilities as men. This was undoubtedly true on paper, and to some extent in practice. However, women's active participation seems to have been mainly at the job level, as well as shop delegates' meetings. The FIA did practise some 'positive discrimination', in that the election of female organisers in Sydney and Adelaide in mid-1943 followed a National Council recommendation that this action be taken.²⁰¹ However, the record of all three unions in regard to women organisers and branch committee representation was poor.

It is clear that the unions were often taken aback by the women's militancy and their independence in deciding on stop-work action to gain their 90% WEB pay rise. Time and again, union officials had to 'hose down' women workers and convince them to stay at work, by explaining the various legal steps being pursued to combat the employers, the way their case was being presented before the Court or Committees of Reference, or the approaches being made for government assistance, and so on. The delay was clearly very frustrating for the affected workers, but in the face of employers'

²⁰¹ Minutes, National Council meeting, 11-12/5/43, p. 8, Box E102/23, FIA Collection, NBAC. The FIA issued a pamphlet detailing the situation of women's wages and the WEB - *Women's Wage Rates and Public Holidays*, Sydney: Federated Ironworkers' Association, n.d. [1943], F.J. Riley Papers, National Library of Australia, cited in Merritt, *op. cit.*, pp. 313-5; and its Victorian branch published several issues of a four-page printed paper, *Woman Ironworker - The Ironworker*, February 1943, p. 6.

determination to defy the Board's decisions, the unions had to utilise all possible mechanisms in order to gain the WEB payments. These procedures were very costly and time-consuming, particularly for the FIA and SMWU which made far greater efforts than the AEU to obtain the 90% rate for the maximum number of women workers who could be brought under the WEB's jurisdiction. Towards the end of the war, McPhillips referred to the 'skilful actions' of unions in gaining additional wages for women and defeating employers' attempts to 'create a basis for a big pool of cheaper labour' in the metal industry. 'This achievement with practically no stoppage of work,' he said, 'was possible only because of the capacity of the union's [FIA's] officers to patiently and persistently counter every move by the employers, and because of the discipline and co-operation of the women members.'²⁰²

The two communist-led unions strove to uphold their policy of opposition to strikes unless as a last resort and to urge their members to exercise discipline. There is no doubt they tried to keep members at work and if they did go out, to get them back as quickly as possible. The AEU did likewise with its women members, although its leadership clearly used strikes that were ostensibly over equal pay, as a political weapon to put pressure on the government. Opposition to strikes that would harm the war effort was also advocated by the ACTU, the government, the Arbitration Court and in the media. In the face of widespread social attitudes about 'letting our troops down', it was no light matter for women workers to take industrial action to pursue their claims for the WEB rates. The three major SMWU disputes, particularly the long strike at Simmonds Aerocessories, illustrate the determination of the women and their union to win the 90% rate for all those entitled to it.

²⁰² J. McPhillips, 'The Wartime Record of the Ironworkers' Union', *Communist Review*, May 1945, p. 502.

CONCLUSION

The factors shaping the responses of leaders of the labour movement, government, employer bodies and other institutions towards women's work and their pay rates during World War II, have to be seen in the context of the prevailing gender order. The dominant ideology concerning women's primary role in the private sphere of home and family, together with the sexual division of labour in the workforce, conditioned the attitudes and practices of both men and women towards the new situation for women workers created by the war. In 1983 Ryan discussed four main precepts that have determined women's condition in the workforce:

First, women's skills have been denied. Secondly, women have been regarded as invaders of the workforce. Thirdly, there is the paternalism of working men, employers and the courts. Finally, the segregation of the sexes at work has made it easier to deny women equitable pay.¹

Although that situation was partially challenged by the wartime changes in the normal pattern of women's workforce participation and in the wage-fixing method for those occupying men's jobs, the potential opened up for a significant and lasting shift was contained.

Within the context of the 'natural' gender order, the responses of the various groups to the entry of female labour into male jobs were conditioned by a myriad of social, political, economic and industrial factors. As the thesis has illustrated, the factors influencing the actions of major players, the gender relations involved and their responses, became increasingly more complex. An urgent task of the new Labor government was to secure the co-operation of unions and employers for the necessary changeover of industry to war materials production, including large-scale utilisation of women in munitions and other 'men's jobs' in the metal industry. Its response to the union movement's demands for the same male rate for these women war workers was a

¹ Edna Ryan, 'Foreword', in Ann Game and Rosemary Pringle, *Gender at Work*, Sydney: Allen & Unwin, 1983, p. 7.

compromise. Lacking the political will to institute equal pay through regulation or legislation, it opted instead to establish the Women's Employment Board with the power to award rates *up to 100%*, based on assessing the women's comparable work efficiency and productivity. This was a radical departure from the method of determining female wages traditionally followed by the Arbitration Court; as the WEB Chairman, Judge Foster, later noted, it was 'an entirely novel basis for wage-fixation in Australia.'²

The government's response, however, was motivated by the practical need to solve an immediate problem that would be acceptable to the unions until the men reclaimed their jobs at the war's end, rather than by any intention to initiate a long-term change to the arbitration system or the Court's authority. It acquiesced to the demand of the Ironworkers' union (FIA) and other unions that the matter had to be taken out of the Court's hands and given to a separate tribunal. And further, that this special body be given a mandate to operate on a totally different basis from the Court's 'family wage' system, i.e. that it take no account of the women's family situation when fixing their pay rates. According to Jack McPhillips, the FIA insisted on these conditions in order to get round the insurmountable barrier to equal pay of the entrenched basic wage and margins structure which bound the Court. One of the best aspects of the WEB was that it was able to side-step this argument. The unions put to the Board that if a woman was replacing a man, she should get the same amount as he would have received, full stop; any questions about women not supporting a family or not being skilled were irrelevant.³ In many ways, these female war workers were regarded not as 'women', but as 'surrogate men'; if they were doing men's work they would be treated like male workers and accordingly, their pay rates would be determined on their comparable work performance and results. It is highly unlikely that those who devised or carried out the wage-fixing method specified in the WEB's operating regulations saw it as anything

² Alfred W. Foster, 'The Experience of the Women's Employment Board in Australia', *International Labour Review*, vol. 52, no. 6, December 1945, p. 636.

³ Jack McPhillips, interview, 7/2/96.

more than a practical response to a unique situation created by the war which demanded a new approach.

The trade union movement's responses to the unprecedented 'invasion' of females into male industries were also primarily motivated by their pragmatic concerns to protect male jobs and pay rates. In the main, support for equal pay was seen as an insurance policy against attempts by employers to use cheap female labour to lower wage standards during the war, and to replace men in low-skilled jobs afterwards. If employers had to pay women the same rates as men, the reasoning went, then they would naturally prefer to employ men for their higher labour value and productivity. Not all union officials took that narrow view; some supported equal pay as a necessary measure of social justice for a significant section of low-paid workers, while socialists and communists regarded women's participation in social production outside the confines of the home and their right to equality with men, as necessary steps towards their eventual emancipation. The principled stand for equal pay was personified by the union-based Council of Action for Equal Pay (CAEP), which fought throughout the war for its aim of a single rate for the job regardless of sex. The left-wing Clerks' Union official, John Hughes, expressed the principle in his opening report to the 1937 equal pay conference which founded CAEP:

Equal pay means the establishment of economic independence for women and provides a basis upon which they can struggle to secure the consummation of full equality ... [It] will remove the intolerable unfairness to which women have been subjected in working for a rate below the value of the work they perform.⁴

As shown in Chapter Two, the Communist Party's theory of women's emancipation was based on class interests rather than gender concerns (or "bourgeois feminism"). The Party upheld women's right to work and to receive equal pay through the 1920s and '30s, including the difficult Depression years when working women were being

⁴ 'Declaration of Policy for Federated Clerks' Union (NSW Branch) on Equal Pay for the Sexes', p. 4, Report of Equal Pay Conference, Box 1164/6(a), MS 9106, Muriel Heagney Papers, La Trobe Library, State Library of Victoria. See also, John R. Hughes, 'Equal Pay for the Sexes', *The Australian Quarterly*, vol. IX, no. 3, September 1937, pp. 86-90.

attacked from within the labour movement. However, the issues were still rather amorphous, and contradictions in the theory and particularly in the slogan of 'equal pay for equal work' *vis-a-vis* the basic (family) wage, were not actually tested in practice until the war crisis brought out inherent tensions between gender and class considerations. In 1940 and the first half of '41 when the CPA was opposing the 'imperialist war' and the Menzies government's war measures, it was antagonistic to any expansion of low-paid female labour in industry. But once committed to the 'people's war against fascism', it fully cooperated with the Curtin government's war effort, including the utilisation of women to replace men in war-production industries. Its position was governed by the needs of the war - the struggle to defeat fascism was now the paramount class struggle, eclipsing other considerations.

Communist union officials initially pressed the government to regulate for equal pay, then supported its plans to establish the WEB with the power to award rates from 60% to 100% depending on the women's performance and productivity. Their support for female war workers to receive the full male rate was, of course, also motivated by the need to secure male jobs and wage standards in the long-term, as well as protecting the women from exploitation in the short-term. Thus, they fought for the 100% rate through the WEB, but when that was not realised they refocused on achieving the 90% rate for the maximum number of women workers who could be brought under the Board's jurisdiction, as well as combatting the conservative campaign to destroy it and to restore the Court's female wage standards.

Within the limitations of their policy of maximum war production and opposition to strikes unless unavoidable, the two communist-led metal unions, the FIA and SMWU, persistently strove to obtain for their women members the 90% WEB rate and back-pay. The metal industry was the major arena for contestation of views about the value of work performed by women and their right to be paid (near) male rates as determined by the WEB, and both unions were in the forefront of the fight against employers'

resistance to paying men's rates for jobs they regarded as 'women's work'. The underlying issue for the employers was perpetuation of the sexual division of labour and the practice of female labour being priced at about half the male basic wage; if a woman could do the work then *ipso facto*, that job had become 'women's work' and thus was devalued. The wider gender interests of the employers, the women workers and the unions, can be clearly seen in the metal industry confrontation; however, for the communist union officials of the time, the issue was primarily a class struggle to prevent exploitation and win wage gains.

In discussing the sex-segregated labour force, Milkman refers to the ideological identification of working women by their gender and domestic responsibilities: they are 'viewed not as "workers" but as "women" - who happen to be working.'⁵ This point connects with the perceived status of women war workers in the metal industry during the wage struggles over the WEB's decisions. When large numbers of women first entered the industry in early 1942, they were very much 'under suspicion' as 'women' encroaching into a male domain. However, over some eighteen months in the workshops as unionists doing men's work, the gender relations had changed in that they had become more accepted as 'workers' rather than predominantly as 'women'. As Parkes has noted, 'the experience of actually working with women made the men realise that some of their worst fears were unfounded,' although this did not bring about a reappraisal of male and female stereotypes. The tendency, instead, was 'to differentiate between "our girls" and "women". "Our girls" became honorary men.'⁶ The FIA and SMWU waged the battle over women's pay rates essentially as a class struggle for workers' rights, nevertheless, male gender interests prevailed.

There was no ambivalence about the patriarchal power relations between the highly-skilled AEU craftsmen and the women who entered engineering classifications. As the

⁵ Ruth Milkman, 'Organising the Sexual Division of Labor: Historical Perspectives on "Women's Work" and the American Labor Movement', *Socialist Review*, vol. 10, no. 1, Jan.-Feb. 1980, p. 101.

⁶ Laurie Parkes, 'Women in the Munitions Industry, World War II', B.A. (Hons) Thesis, Australian National University, 1980, p. 40.

thesis has shown, the AEU presented itself as the leading champion of women's right to equal pay, including waging strikes aimed (ostensibly) at gaining the full 100% rate from the WEB for females employed on those jobs. In reality, the union had adamantly opposed women coming into the industry until it had no alternative but to accept them, and it was determined to ensure their guaranteed exit at the war's end or before. Its stand over the 100% issue was directed at pressuring the government to guarantee that women in skilled jobs would be brought under the dilution scheme on the full tradesman's rate, and that they would automatically have to vacate their jobs when qualified men became available. Once those major aims had been achieved, it was only minimally involved in efforts to gain the 90% rate for women outside the dilution system. As far as gender issues were concerned, this left-labourist union was, in fact, decidedly conservative. It barely tolerated the presence of women in the trade and the union for the duration, and made sure that they left as soon as men could replace them.⁷

In light of the AEU's attitudes and practices towards the female 'interlopers', it is interesting to reflect on Muriel Heagney's two-year alliance with the union as its women's section organiser. Clearly, she fully supported its strong stance for equal pay and rejection of the principle of the WEB's 90% rate, in contrast to the 'sell-out' by the other metal unions. It is not so clear how she reconciled her feminist principles about women's right to equal work opportunities outside traditional female jobs, with the AEU's determination to push women out of engineering classifications as soon as possible. In late 1941, Heagney had condemned the ACTU's policy that women employed on men's work must vacate their jobs for returning men, saying it implied that 'women's labour is not a serious factor in industrial life but may be used as a stop-gap in this emergency without any "safeguard" as to the economic future of the women so used.'⁸ As a lifelong ALP member and trade unionist, perhaps she accepted that

⁷ For information on similar treatment of wartime women workers in the AEU's parent body in Britain, see Penny Summerfield, *Women Workers in the Second World War; Production and Patriarchy in Conflict*, London: Routledge, 1989 (1984), pp. 154-60.

⁸ See Chapter Four, p. 115.

the AEU's policy was only upholding the union movement principle of 'last on, first off', and that a firm stand for the same rate for the job was the major priority.

Heagney's restraint in public criticisms of the Curtin government's policies, further illustrates how people's actions towards women's work and wages during the war were affected by various influences. She condemned the Board's 10% penalty because of the women's absenteeism rates and other 'sex-based characteristics', and for setting back the impetus for equal pay by its 90% decision. She also criticised shortcomings in the WEB's operating regulations, but was reticent about publicly sheeting the responsibility back to the government. The WEB was, in fact, only the instrument for carrying out government policy and its mandate was determined by the regulations. But Heagney's loyalty to the Labor Party and to John Curtin, who was leading the nation's war effort, meant that she focused her attack on the messenger rather than the source.

With the influence of communist theory and policy on women's right to work in social production, the FIA and SMWU had a less rigid view than the AEU about the necessity for women war workers to leave the industry after the war. The CPA's post-war policy advocated women's ongoing participation in an expanded economy and workforce. As Tom Wright told its 1943 Congress, the Party believed that 'all these women who have entered industry will have an equal right to remain in industry, if they so desire.'⁹ And its 1945 Congress policy stated that the labour movement's post-war employment plans 'must include the right of women to take up employment on an equal footing with male workers and to secure equal remuneration.'¹⁰ There was no real question, though, that for the communist union officials, the needs of their union and male members would be paramount. In line with the widely held view of women war workers' temporary status, both unions did not try to keep them in men's jobs. However, the FIA did

⁹ Minutes, CPA 13th National Congress, *op. cit.* See also, similar statement in *A New Deal For Women*, Communist Programme Series No. 4, Sydney: Australian Communist Party, 1944, p. 31.

¹⁰ *Resolutions of the 14th Congress of the Australian Communist Party, Communists In Congress* No. 7, Sydney: Current Book Distributors, 1946, p. 22.

advocate that the principle of 'last on, first off' should be applied to all workers irrespective of sex, and that women on the WEB rates should not be dismissed whilst those on lower Court rates remained.

The situation was different for the SMWU, as women had been employed in various sheet metal jobs for many years prior to the war, and a sizeable number stayed on after the war as the industry expanded. Women still comprised 15% of the union's membership in 1946.¹¹ Many of those who had been on the 90% WEB rate during the war, stayed on that wage until its repeal in 1949; and in at least one large Sydney workshop, some 130 women gained the full male rate in 1948 because of pressure on the employer by their male co-workers.¹² However, the great majority of women war workers in men's jobs left the metal industry at the war's end. The percentage of females employed in metals, machines and vehicles dropped from 13% in 1945 to 8% in 1946;¹³ nevertheless, 26,200 women were still employed in the metal trades in 1946-47.¹⁴ Thus, whilst most women had to give up their wartime men's jobs, they did not leave the industry altogether.

The thesis has brought out the positive and negative features in the WEB's operations and decisions. On the positive side, it ensured that some 80,000 workers were paid far higher wages than women classified as unskilled or semi-skilled had ever previously received. Most women on the standard 54% female rate were paid between £2 and £3 a week, compared to around £5 to £6 for metal industry workers on 90% of the total male rate. An important gain from the Board was not only that the 54% female standard was breached for several years, but that women's wages 'sustained an upward trend.'¹⁵ The fact that a section of women workers received higher WEB rates while

¹¹ Stone, *op. cit.*, p. 16.

¹² Tom Wright, 'The Campaign for Equal Pay', *Communist Review*, January 1949, p. 24.

¹³ Ryan, Penny and Tim Rowse, 'Women, Arbitration and the Family', in Ann Curthoys, Susan Eade and Peter Spearritt (eds.), *Women at Work*, Canberra: Australian Society for the Study of Labour History, 1975 (special issue of *Labour History*, no. 29, November 1975), p. 16.

¹⁴ Sheridan, *op. cit.*, p. 160. This compares to 55,200 in 1943-44 and 9,500 in 1938-39.

¹⁵ Edna Ryan and Anne Conlon, *Gentle Invaders: Australian Women at Work 1788-1974*, Melbourne: Thomas Nelson, 1975, p. 138.

the majority remained on low female wages, acted as an impetus for many thousands more women to gain a rise to 75% of the male basic wage. The Board's rates based on productivity highlighted the injustice of the long-standing wage inequality between the sexes and helped to push the union movement and eventually, the government, into taking action to partially redress the plight of working women. Continuing pressure on the government in the post-war years meant that both the 90% WEB rate in the metal industry and the 75% rise in the twelve 'vital' industries, lasted until 1949. Finally, in 1950, the rises in women's wages during and after the war led the Arbitration Court to recognise that the female minimum award rate had to be increased to 75% of the male minimum. As MacKenzie has noted, the 'assumptions [that] had underlain the reasoning of arbitration courts for 30 years had been drastically modified' under the impact of the war years. Thus, 'it was clearly impossible to go back to the old and previously sacrosanct ratio of 54:100.'¹⁶

Another gain arising from the WEB was significant improvements in factory working conditions. The Board was conscious of the marked difference in amenities and conditions between Government munition factories and many private workplaces. At times it instructed employers to discuss necessary improvements with Department of Labour inspectors and withheld permission to employ females until amenities were brought up to standard.¹⁷ On behalf of the WEB, the Department's Industrial Welfare Division produced a 'Code of Working Conditions for Women Workers', which was distributed among employers and unions and discussed at a Board hearing in January 1943. It stipulated a wide range of required minimum conditions, including first aid services, guards on machinery, protective clothing and other safety precautions, adequate ventilation, drinking water, washing facilities, lockers, canteens and so on.¹⁸

¹⁶ Norman MacKenzie, *Women in Australia*, Melbourne: F.W. Cheshire, 1962, p. 173.

¹⁷ Ryan and Conlon, *op. cit.*, p. 138.

¹⁸ Mollie Bayne, *Australian Women at War*, Melbourne: Left Book Club of Victoria, 1943, pp. 37-9; *The Ironworker*, February 1943, p. 6.

In breaking from the traditional basis for determining women's wages, the WEB's novel wage-fixing method seemed a promising step forward for women's equality. It had the potential to change ideological perceptions of women as appendages to the real breadwinners, as workers whose labour was deemed to be of cheaper value because their needs were less and they lacked men's skills. It contained the promise of gaining equal pay if the women proved they were equally efficient and productive as men. However, the majority of women war workers in heavy industry received 90% and other groups less, while equal pay was granted to only a relatively small number in non-industrial, mainly government, occupations. It is clear that the Board was mindful of the government's expressed view that it was not 'an equal pay board' and of the desirability, for a range of social-economic reasons, to preserve a distinction between the value of the work done by men and women and thus, of their wages. The potential that the change to fixing women's wages on the basis of productivity might bring a lasting shift in women's secondary position in the workforce, was not realised. Such a long-term outcome, as already stated, was not on the government's agenda. It had no intention of permanently dismantling the Arbitration Court's authority or the 'family wage' concept embodied in the wage-fixation system. Nor, of overturning the prevailing *status quo* of gender relations, based on a conception of men as the primary workers and women as housewives and mothers. Whilst the war disrupted that situation to the extent that many thousands of married women went into the paid workforce, the overwhelming belief was that this would not be a permanent change and that when the men returned to their jobs after the war, the normal way of life would be restored.

The campaign for equal pay during the war ultimately foundered on the barriers imposed by the dominant gender relations under which woman's primary role was regarded as homemaker/nurturer in the private sphere. Women's secondary status had long been sustained by the sexual division of labour in the workforce and the 'family wage' system set in place by the Arbitration Court since Justice Higgins' seminal 1907

and 1912 judgements. Aspects of the prevailing gender order had been partially challenged at times by feminists, women's groups, communists and left labour movement activists, with equal pay being an important goal. By the end of 1941-early '42, with the impetus of the unprecedented demand for women's labour, equal pay was being supported by the majority of the union movement and its realisation seemed possible. However, the level of support was not strong enough to effectively challenge the ideological and material structures that sustained the gender *status quo*. A crucial factor was that the demand for women to receive the same wage as men came basically from within the labour movement, and there was insufficient groundswell support for such a measure of social justice for women. Above all, there was no mass women's movement exerting pressure on the government and the union movement for equal pay and for significant changes in the sexually-demarcated workforce. Thus, the temporary challenge to the traditional gender order was able to be contained.

In addition to the overall ideological context, a range of social, political, economic and industrial factors also played their part in determining this outcome. As the thesis has demonstrated, pragmatic concerns and pressures influenced the attitudes and actions of all the key actors. Not least was the preoccupation with winning the war. Certainly for the government, the ALP, CPA and the union movement, the needs of the national war effort took priority over other issues. And whilst the question of pay rates for women occupying men's jobs in industry was a problem that had to be solved in the short term, deeper issues concerning gender inequalities in the workforce and wage structure, or changes in women's social role, were generally 'pushed under the rug'. Most male labour movement leaders probably paid little attention to the issues raised in a 1946 labour journal article headed 'Must Woman Return to the Kitchen?'. 'Never before have women experienced such opportunities for showing what they can do,' it said. They have 'savoured the sweets of economic independence, of public responsibility, of some measure of equality with men in the workaday world.' And

now that they have proved themselves successful in a range of new occupations, it will be impossible in a democratic post-war world:

to dismiss them from their posts, and suggest that they occupy themselves with domestic affairs only, or be satisfied with the pre-war limitations of a woman's job. I think women will fight to keep the measure of emancipation and economic independence they now enjoy - and they will fight till they have attained full equality with men of payment and conditions.¹⁹

The deep-seated changes in women's situation envisaged by the writer took a great deal longer than the post-war period. The 'window of opportunity' opened up for women by their wartime work experiences and by the WEB's novel wage-fixation method soon closed. However, that does not mean there were no lasting industrial or social effects beyond the war. In the years 1946-50, the WEB experience influenced the approach of communist-influenced and left unions in their wages campaigns for low-paid women workers. They emphasised women's right to the same total wage as men including margins, on the basis of the work performed (i.e. productivity) in the various award classifications.²⁰ It is difficult to assess the influence of wartime efforts for equal pay, on the equal pay campaigns of later decades. At the war's end large numbers of women left paid work to become full-time housewives and mothers, and it could be said that the types of jobs and higher wages some had experienced had little impact on post-war attitudes and practices concerning women's equality. It probably was the case that large numbers of women in the Services and the workforce were happy to give up their jobs in favour of family life, although others were not.

There was a widespread social expectation throughout the war that everything would 'go back to normal' when it was over and the men returned. This desire for restoration of the traditional Australian pattern of male breadwinner and female homemaker was reinforced by a 'media blitz' aimed at persuading women that they should return to their homes to care for their men.²¹ By 1947 women's workforce participation had

¹⁹ Clarice McNamara, 'Must Woman Return to the Kitchen?', *Labor Digest*, April 1946, pp. 49,

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²⁰ See Chapter Seven, p. 251.

²¹ Charlie Fox, *Working Australia*, Sydney: Allen & Unwin, 1991, p. 138.

fallen to 27.3% from its wartime peak of 33.5% in 1943.²² Thus, at least in the short term, 'the post-war division of labour and the gendered ideologies had been reasserted.'²³ However, societies do not return entirely to 'normal' after such turbulent events as the Second World War, and there were some lasting social effects in terms of women's expectations for wider opportunities outside the confines of home and family.

The push for equal pay was continued through the post-war period and following years, largely by sections of the union movement and women's organisations,²⁴ and many of those pursuing the issue were influenced by the legacy of the war experiences of female wages and the WEB. Thus, the 'window of opportunity' opened up for women during the war was not fully closed. It was not until the late 1960s-early '70s, however, before more promising circumstances existed for a sustained re-structuring of gender relations; these included a heightened level of agitation from women's liberation activists seeking radical changes and increased feminisation of the workforce and union leaderships. The thesis has shown that a decisive transformation of women's social position was not possible during the war period. The prevailing gender relations of the era were as intractable as class relations - the kind of changes required in people's consciousness and in the social, political and economic conditions in order to achieve a major and permanent shift were insufficiently developed.

²² Ryan and Rowse, *op. cit.*, p. 16.

²³ Fox, *op. cit.*, p. 138.

²⁴ For information on equal pay activities from the 1950s to '70s, see Barbara Curthoys and Audrey McDonald, *More Than a Hat and Glove Brigade: The Story of the Union of Australian Women*, Sydney: Union of Australian Women, 1996, p. 52, 87, 90.

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