



Gender Equality Unit  
Office for Women  
Department of Health and Human Services  
50 Lonsdale Street  
Melbourne Victoria 3000

4 September 2018

## **Gender Equality Bill (Exposure Draft)**

As the state peak body for young people aged 12-25, Youth Affairs Council Victoria (YACVic) welcomes the opportunity to make a submission in relation to Victoria's Gender Equality Bill (Exposure Draft).

Our vision is that young Victorians have their rights upheld and are valued as active participants in their communities.

We applaud the Victorian Government's commitment to ensuring the public sector takes active steps to promote gender equality. The aims of the proposed Bill include:

- Addressing the structural and systemic causes of gender inequality.
- Preventing gender inequality from arising in the first place.
- Creating shared responsibility amongst the Victorian Government, local government, private sector, not-for-profits, and local communities to promote and improve gender equality.
- Contributing towards building a Victoria that is free from all forms of violence against women and children, through gender equality.

We recognise that the proposed legislation focuses on public sector entities, and that there is an emphasis on positions of seniority and leadership; for example, promoting the appointment of women to courts, paid boards, executive roles, and councillor and mayoral positions.

However, we believe value could be added by considering opportunities and conditions for younger staff, and the role of the community services sector in delivering a more equitable community.

With that in mind, we table responses to three questions from the discussion paper.

### **Q.2 "What other activities should the government undertake to support this legislation?"**

If we want to create work environments where women play an equal role in senior decision-making, we must consider how we train, treat, and retain our young workers from the beginning. Beyond the scope of the proposed Bill, we would emphasise the

need for public entities to create workplaces where young women can engage, thrive, and take a lead on issues of importance to them.

In particular, we support the recommendations of the Young Workers Centre about the need to address workplace health and safety issues. Young workers are disproportionately vulnerable to bullying, harassment and unsafe work conditions – and sexual harassment targets young women workers in particular.<sup>1</sup>

In a survey of over a thousand young Victorian workers, the Young Workers Centre found that 1 in 2 young people reported experiencing bullying or harassment at work, and 1 in 4 young people had been asked to do something at work that made them feel unsafe. Young women reported that sexual harassment from clients, colleagues and superiors was common and not taken seriously by employers, despite the danger and distress involved for young staff. It was common for young workers to be ignorant of their employers' obligations, and to lack the tools and confidence to raise concerns.

Comments from young Victorians included:

“I feel that sexual harassment is common at work that it isn't treated as an issue. It's a daily occurrence and I would be pinpointed as sensitive if I felt uncomfortable by some of the vulgar comments made by customers daily.” – Female, 23, Gaming Supervisor.

“I was asked to work early and late at age 15-16, without any supervision. At this time I was solicited for sex by a customer...I said no and kept working”. – Female, 21, Integration Aid.

"I was bullied and told that if I didn't do it [perform unsafe work duties], I was weak. I was told that I might as well just learn how to deal with it now otherwise I should reconsider any future career in the same area. I was told I had no backbone of I didn't confront the situation". – Female, 20, Receptionist.

Reason for not reporting workplace illness or injury: “Being embarrassed, not thinking they would see the injury as significant enough”. – Female, 22, Registered Nurse.

YACVic supports the recommendations of the Young Workers Centre that the Victorian Government:

- Embed education about workplace bullying and health & safety into secondary school careers education.
- Investigate the creation of an online platform to allow young workers to report employer responses to workplace bullying, health and safety.
- Ensure government bodies like WorkSafe recognise sexual harassment as a specific workplace health and safety issue. Collect better data on the topic, and introduce trained Women's Advocates introduced into workplaces.
- Support WorkSafe to develop a bullying code to improve employer compliance with the OHS Act, and refine systems to enable more confidential reporting of bullying.<sup>2</sup>

### **Q.7: “What kinds of public sector targets should be included in the regulations of the Gender Equality Bill?”**

The discussion paper describes the value of legislating targets for gender equality to help promote parity of women's representation in key decision-making roles within public entities. Examples given include executive roles in the Victorian Public Service, and appointments to paid public boards. We recognise the value of promoting equality in these leadership spaces.

We would add to this that a culture of equality begins with engagement, training and support of young staff. It is important to consider the next generation of women leaders, too.

We suggest that public sector entities which have traditionally struggled to demonstrate gender equality in their leadership roles might examine and report on the percentage of women recruited into junior and entry level positions, and the percentage supported to take part in professional mentoring and leadership development programs. (If a workplace does recruit a significant percentage of young women into junior roles, but fails to retain or promote them to leadership positions, this information is also relevant, and might assist in the development of solutions.)

### **Q10: “How can the Victorian Government leverage procurement and funding practices to promote gender equality in the wider community?”**

The Victorian Government’s Social Procurement Framework enables government to leverage its buying power to support better social and sustainable outcomes. The discussion paper proposes that the Victorian Government extends this approach by sourcing goods and services from suppliers which show “gender ethical” practice, thus encouraging providers to meet gender equality criteria.

This approach could prove very valuable. However, a particular approach may be needed when sourcing goods and services from providers of community and health services.

The community services and health industry is growing rapidly, and is essential to the functioning of our Victorian community. According to the Victorian Council of Social Service (VCOSS), our health care and social assistance sector employs around 412,000 people.<sup>3</sup> However, despite the importance of this sector, major steps are needed to ensure workers have secure career pathways and pay and conditions comparable to roles of similar skill and responsibility elsewhere. VCOSS observes “The industry is being squeezed by baseline funding increases of only 2 per cent each year, threatening job security and wage levels.”<sup>4</sup>

The inequality of wage levels for workers in the community sector (compared to local and state government) has been linked by the Fair Work Commission to the gender composition of the industry.<sup>5</sup> For example, in 2012, 75% of the community services workforce was female.<sup>6</sup>

The Victorian Government must take this situation into account if they wish to use social procurement to promote gender equality. Evidently, an industry may employ large proportions of women without this necessarily translating into an advancement

of women's status and decision-making in the wider community. For progress to occur, the industry in question must be adequately resourced, supported and respected.

To use social procurement effectively, the Victorian Government might consider favouring community and health service providers which pay their employees above award wages, provide their employees with strong opportunities for professional advancement, and show equitable workplace policies, such as family violence leave.

However, this must occur in the context of a wider commitment to building a strong community services industry; an industry that provides workers with rewarding career opportunities, secure employment and good pay and conditions, as recommended by VCOSS.<sup>7</sup> Community services employers must be funded to keep pace with wage and cost increases, and to avoid creating more insecure, low-paid jobs.

Such steps will help to create pathways for the next generation of women leaders in this critical and fast-growing sector.

We recognise that the Victorian Government Department of Health and Human Services is working in partnership with VCOSS to develop a 10-year plan for the industry. YACVic supports this process. If realised

We would be delighted to discuss any of these matters further with you.

Yours sincerely



Leo Fieldgrass  
CEO, Youth Affairs Council Victoria

---

The Youth Affairs Council of Victoria Inc.  
Level 3, 180 Flinders Street  
Melbourne VIC 3000  
Phone 9267 3799  
[www.yacvic.org.au](http://www.yacvic.org.au) | [info@yacvic.org.au](mailto:info@yacvic.org.au)  
ABN 39 774 045 170

---

<sup>1</sup> Young Workers Centre, *Youth Workers Health & Safety Snapshot*, Melbourne, 2016, [https://d3n8a8pro7vnm.cloudfront.net/victorianunions/pages/1411/attachments/original/1475818335/Young\\_Workers\\_Health\\_Safety\\_Snapshot.pdf?1475818335](https://d3n8a8pro7vnm.cloudfront.net/victorianunions/pages/1411/attachments/original/1475818335/Young_Workers_Health_Safety_Snapshot.pdf?1475818335)

<sup>2</sup> Young Workers Centre, *Youth Workers Health & Safety Snapshot*

<sup>3</sup> Victorian Council of Social Service (VCOSS), 'Community Services Industry Planning', accessed September 2018, <https://vcoss.org.au/sector-hub/key-projects/community-services-industry-planning/>

<sup>4</sup> VCOSS, *Delivering a Good Life for Every Victorian: 2018 Election Platform*, Melbourne, 2018, <https://vcoss.org.au/goodlife/>

<sup>5</sup> Fair Work Commission, *Equal Remuneration Case 2010-12*, accessed September 2018, <https://www.fwc.gov.au/cases-decisions-orders/major-cases/equal-remuneration-case-2010-12/decisions-statements>

<sup>6</sup> Human Services and Health Partnership Implementation Committee, *Community Services Industry Plan: Discussion Paper*, October 2017, <http://vcoss.org.au/wp-content/uploads/2018/02/10-Year-Community-Services-Industry-Plan-Discussion-Paper-FINAL-OCT-2017.pdf>

<sup>7</sup> VCOSS, *Delivering a Good Life for Every Victorian*