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PRIME MINISTER

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**SPEAKING NOTES FOR THE PRIME MINISTER
OPENING OF THE CONFERENCE ON LEGISLATIVE AND AWARD
RESTRICTIONS TO WOMEN'S EMPLOYMENT
17 OCTOBER 1986**

Before I turn to the specific concerns you have gathered to discuss, I would like briefly to reacquaint you with the Government's commitment to Affirmative Action and its relevance to the current economic challenges we face. Our approach to Affirmative Action was based on a belief in merit as the major principle in determining employment and promotion. From that position we proceeded to develop a program, in consultation with business, unions and other Governments that was compatible with Australia's unique business, legal and industrial relations traditions.

In terms of the importance to our national economic goals, the logic behind Affirmative Action is compellingly simple: no country can afford to neglect half of its human resources. That observation, true as it was in 1984 when Affirmative Action was launched, is even more relevant today when Australia must gear itself to take on the best in world markets and win. In other words, the benefits to women in the workforce flowing from Affirmative Action have the potential to flow on to the economy and nation as a whole.

Today's conference is a direct result of the process of co-operation between my Government, employers, unions and State Governments. Co-operation and consultation is the way we do business. I believe this conference exemplifies our general approach and our specific commitment to policy questions which relate to the status of women.

I should pause to put that specific commitment in its fullest context. No Government in Australia has set itself so seriously the objective of equal status for women with that of men in our society or been so successful in achieving it.

Within the framework of this commitment, we had two particular important reasons for initiating this conference. First, the imperative to restore Australia's international competitive position. Australia needs a flexible, skilled workforce to face the economic challenge ahead.

Second, our unequivocal commitment to equity for women in our policy objectives. This means that we will continue to work hard to eliminate barriers which prevent women from getting a fair go.

Discriminatory provisions in legislation and awards prescribing conditions of employment for women clearly militate against those two objectives.

Undeniably, women have been, and continue to be, disadvantaged in the labour market. The majority of women workers are found in too narrow a range of occupations and industries. Women are concentrated in the sales, clerical and service, sport and recreation occupational classifications. They are under-represented in administrative and executive, transport and communications occupations and in the trades. As a result, women are particularly vulnerable to the effects of economic downturn, new technology and structural change.

We were all too well aware of this picture in coming to office, and through the Affirmative Action program, together with other labor market programs, we have taken concrete steps to tackle the problem. Our approach has been characterised by consultation and co-operation with the parties concerned.

We recognise the importance of developing our policy positions by taking into account the views of those groups who will be most directly affected and most active in their implementation. So, for example, with Affirmative Action, we did not simply rush into a program of legislative reform which would be unacceptable to employers, unions or women themselves. Instead we embarked upon a process of discussion and experiment. Some 18 months later we were in an ideal position to develop legislation acceptable to all parties, passing as it did through the Parliament in August with only very minor changes.

Through that process we identified the impediments to equal opportunity in employment for women that arise from legislative and award restrictions.

Companies participating in the Affirmative Action pilot program identified restrictions to women's employment in certain categories of occupation or certain environments which were the direct result of legislative or award prescription. For example, restrictions on the maximum weights that women can lift are a very real obstacle to women being employed in jobs requiring manual handling. There are other restrictions which also deny opportunities in a range of jobs that otherwise would, and indeed should be available to women.

Originally many of these restrictive provisions were introduced to protect women from the very real hazards in the workplace. However, they also grew out of entrenched attitudes to the role of women which are no longer acceptable. These provisions need to be re-examined in the light of anti-discrimination and occupational health and safety policies.

Through the Working Party on Affirmative Action we identified these obstacles to women's employment across the spectrum of job opportunities. As a Government, we saw that there was a need for urgent attention to be paid to this problem.

The Federal Government has a leadership role in this area. We do, after all, require the private sector, through the Affirmative Action legislation, to undertake major reviews of their own practice and procedures to ensure that women are not discouraged or indeed prevented from taking up job opportunities. Clearly, however, there are areas of our legislative and award systems which go beyond the influence of individual employers.

Governments cannot, of course, change those systems by waving a wand. But as advocates of equal opportunity we will do whatever is in our power to encourage the relevant parties to come together in a forum such as today's to address these issues.

Indeed the stage is already set for change. The Sex Discrimination Act which came into effect in 1984 provided for an exemption for discriminatory State legislation for two years. In August 1986 we reviewed that exemption. Due to the limited progress made in reviewing discriminatory legislation made by State Governments and the need for an orderly process of review and change, we decided to extend the exemption for a further 12 months to 1 August 1987.

I would like to make it clear today, however, that our Government stands firm in its view that State and Territory governments should take urgent action to remove discriminatory provisions in their own legislation. To that end, further exemptions beyond 1 August 1987 will not be considered unless there is clear and substantial justification on health and safety grounds.

Of course the Sex Discrimination Act does not apply to State awards or to existing or future Federal awards. The States should take their own initiatives to ensure that their own awards are free from discriminatory provisions.

In the case of the Federal Government, Cabinet will be shortly considering an amendment to the Conciliation and Arbitration Act to require the Conciliation and Arbitration Commission, when making future awards or orders, to have regard to the anti-discrimination provisions of the Sex Discrimination Act.

Significant ground work has been undertaken already. Peak councils have shown a genuine commitment to removing existing discriminatory provisions in Federal awards. I would like to record my appreciation of the willingness demonstrated by the ACTU and key employer bodies during consultations leading up to this conference, jointly to supervise a system which will accelerate the removal of currently existing discriminatory provisions in awards.

Some State Governments have also acted to encourage change to restrictive provisions of State awards and I look forward to the detailed reports which the States and Territories will be making on progress in this area.

In ridding our legislative and award system of discriminatory practices we will be taking a significant step forward in eliminating barriers to women's equal participation in the work force.

For our part this is part and parcel of a much broader program of reform to raise the status of women in all walks of life.

I have referred already to the lower status of women in employment. It is true that many women continue to look to their role in the home and the family for their principal fulfilment. But we need to remember that women also continue to take the brunt of outmoded and inappropriate attitudes quite inconsistent with notions of equality; that women make up over 60 per cent of the recipients of Social Security benefits and that overwhelmingly women carry the responsibilities of child rearing in society.

In three short years of Government we have done much to address these issues, not just because they represent inequalities but because they impede our efficient economic and social development.

The Sex Discrimination Act, for example, provides women with an avenue of appeal against actions by individuals or groups which discriminate on the grounds of sex, marital status or pregnancy. Since this Act was passed there have been over 2000 complaints to the Sex Discrimination Commissioner, the vast majority of which have been settled successfully through conciliation. The use of this avenue by so many women in Australia in just over two years demonstrates without doubt the need for a legislative framework from within which to encourage attitudinal change.

For those women who are dependent on the Social Security system for their income we have done much to alleviate both their dependency and their poverty. By Christmas of this year the standard weekly pension/benefit will be 37.5 per cent higher than when we came to power; we will in fact be close to achieving the target of increasing pensions and benefits to 25 per cent of the average weekly earnings. Additional pension or benefit and the family income supplement will also have increased by a significant 70 per cent and the mother's/guardian's allowance by 100 per cent.

We recognise too that there are anomalies in the Social Security system resulting from a history of incremental change to that system. To remedy this we are conducting a major review of the Social Security system, with families in poverty as a central focus.

We are also all too well aware of the difficulties faced by single parents who do not get adequate support from their previous partner or spouse. Our review of child maintenance arrangements, about which a discussion paper was published for comment last week, aims to shift the responsibility of caring for children to both parents.

We want to provide ways in which women can move from the poverty cycle to economic independence. Our initiatives in encouraging women to participate in labour market programs and in education all serve to do just that. Our commitment to the creation of 20,000 new child care places by June 1988 acknowledges the very real need for women in all situations to have access to high quality care for their children.

Our achievements, I believe, are considerable, but still more needs to be done. To this end last year I announced in the Parliament that the Government would devise a national agenda for women until the year 2000. Through consultation with many thousands of Australian women over the past eight months we have gone a long way in ascertaining the views and aspirations of women in varying circumstances around Australia.

These views will help the Government to identify a program of action that will ensure that by the year 2000, women not only have a say, but have a choice, and most importantly a fair go. No doubt many of the issues that will arise as a result of the national agenda will need to be tackled in co-operation with other sectors of the community in much the same way as we are meeting and talking today.

Our Government is committed to playing a major role in that process in whatever form is appropriate, and we look forward to your continued co-operation in helping us to give women a fair go in employment related fields.

I wish you every success for today's deliberations and look forward to hearing about the conference outcomes.
