



ANNUAL REVIEW 2008

DIVERSITY COUNCIL AUSTRALIA

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OVERVIEW

Diversity Council Australia is the independent, not-for-profit diversity advisor to business in Australia. In partnership with our member organisations our mission is to:

1. understand and achieve leadership in diversity thinking and practice in an Australian context
2. realize business improvement through successful diversity programs
3. implement effective compliance management in a changing legislative environment, and
4. publicly demonstrate commitment to diversity.

Membership provides real benefits

DCA members have access to a range of free or discounted services that support and enhance their internal diversity and inclusion capabilities and external profile. As a valued member, DCA offers:

1. Leadership in diversity management:

- Thought and ideas leadership
- Research on best practice
- Briefings, events and information on the latest trends, in Australia and overseas
- Organisational development
- Professional development
- Subject matter expertise
- Advice and referrals

2. Resources for business improvement:

- Business case and ROI for diversity
- Metrics, benchmarks and surveys

3. Compliance management tools:

- Diversity and EEO training
- Investigations of inappropriate workplace behaviour
- Mediation and dispute resolution
- Workplace culture audits

4. Public profile:

- Member representation
- Profiling and branding.

CHIEF EXECUTIVE OFFICER'S REPORT

As CEO, my aim as briefed at the beginning of my tenure is to refocus DCA towards leadership activities such as research and high level strategy development, to fulfill our mission as the independent, not-for-profit diversity advisor to business in Australia. The 2008 year has been both challenging and rewarding in this journey.

Restructuring DCA to deliver on this mission has been a challenge.

As a new management team at June 2007 we were faced with extraordinary challenges in terms of accommodation, infrastructure and human resources.

Significant downsizing for a more sustainable cost base and appropriate human resources structure and processes consistent with DCA's mission has been achieved but related employment costs and the ongoing accumulated debt continues to restrict DCA's ability to grow.

This of course has been compounded by the unwelcome arrival of the global financial crisis which has led to some loss of membership in the medium-sized business categories.

There have been rewards, however, particularly in terms of our public position of diversity leadership. I have been especially proud of DCA's extensive submissions on behalf of members to several government inquiries on key areas of interest including paid maternity leave, the review of the Sex Discrimination Act, the National Disability Strategy and pay equity. Each submission was put together after extensive member consultation and contribution. Moreover, I had the opportunity to give evidence at the House of Representatives Standing Committee into Pay Equity in Sydney in September, where DCA's submission to the inquiry was extremely well received. Our efforts in these areas were in no small way due to the work of DCA's Research Director Jane O'Leary who was appointed in mid-2008.

I was very pleased to have completed our research project, sponsored by National Australia Bank, on engaging Aboriginal Australians in our workplaces in meaningful, ongoing ways. We look forward to sharing the findings with members to help build sustainable employment strategies for the future.

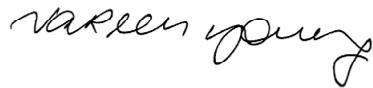
We were also excited to establish a Board of Advisors made up of leading practitioners with extensive experience in the fields of diversity and human resources. This board provides DCA with valuable advice on current and future business diversity needs.

In 2009 our theme for the year is 'doing diversity in tough times'. This means providing information and research to assist members to maintain their commitment to diversity. The highlights so far have been:

- Diversity Leadership Briefings held for members in February and March. The first two explored Jane O'Leary's PhD research on managers' competence in diversity, and were kindly hosted by Ernst & Young in Sydney and Melbourne. The third explored recruiting for diversity, kindly hosted by ANZ in Melbourne.
- Our new quarterly members-only bulletin, *Research Matters*, reporting on innovative industry and academic diversity research undertaken both in Australia and internationally.
- Our second Diversity Leader's Dialogue/CEO Forum in March with the Hon. Brendan O'Connor MP, Minister for Employment Participation, kindly hosted by Cancer Council Queensland.
- New office space for DCA in Sydney, generously provided by Stockland.
- Significant progress in getting DCA's major research project *Working for the Future – A National Survey of Employees*, off the ground. This will provide members and partners with important benefits in terms of leadership, information and profile.
- Planning for a survey on *Diversity in an Economic Downturn* to provide valuable insight into the impact of the GFC on the diversity agenda in Australia.

In summary, the economic downturn presents DCA with more challenges but also opportunities. I believe the climate is very positive for diversity as leading employers see the benefits it can bring in terms of productivity and performance, especially in tough times. Nonetheless DCA continues to experience financial difficulties and will need stronger support from its members to weather the storm.

I would like to acknowledge and thank DCA staff for their outstanding work and dedication throughout the year. I also thank Chairperson Mark Ney for his leadership and support.

A handwritten signature in black ink that reads "Nareen Young". The signature is written in a cursive, flowing style.

Nareen Young
Chief Executive Officer

OUR BUSINESS IN 2008

Research

DCA works in partnership with members to conduct research, which generates evidence-based information and guidance on workplace diversity for the Australian context.

Importantly, DCA research projects are conducted to generate findings that are relevant to the Australian business context. DCA does not transplant research from other jurisdictions into the Australian context. A number of research projects have been conducted gathering evidence-based information for the US, Canada, and the UK. While Australia has similarities to these contexts, it also has unique and distinctive qualities in institutional, cultural and legal frameworks. It is therefore simply not possible to assume that the interpretations and guidance developed in and for other nations can be readily transplanted into the Australian context.

Additionally, and just as importantly, DCA research projects investigate a broad range of diversity dimensions (e.g. Aboriginality, age, disability, ethnicity, faith, race, sexual orientation, work organisation, and so on).

In 2008-2009, DCA's research features the following innovative projects underway:

Pay equity poll on general and business community awareness

In partnership with the Equal Opportunity for Women in the Workplace Agency (EOWA), DCA commissioned polling research to assess community awareness of pay equity. In September 2008, a quantitative survey of Australians' attitudes to pay equity was conducted. It aimed to examine Australians' understanding of the definition of 'pay equity', perceived differences in earnings of men and women in Australia, and Australians' desire for steps to be taken to close the gap between men's and women's earnings.

The findings validate DCA's view and experience that awareness and understanding of pay equity amongst the general community and the business community is low. Specifically, the findings indicated that Australians don't understand what pay equity is and are aware a pay equity gap exists but often under-estimate it. Importantly though, the majority of Australians are committed to closing the gap.

Engaging Aboriginal Australians in our workplace

Sponsored by National Australia Bank, this landmark research project revealed the motivations and aspirations of Aboriginal Australians to provide valuable information to help build sustainable employment strategies for the future. As far as we are aware, this is the first research of this type ever embarked on.

Being diversity competent

This research investigates the critical role line managers have in 'doing' diversity – that is, turning organisational policy into practice. Based on the PhD research of Jane O'Leary, DCA's Research Director, this project aims to describe competence in managing diversity for line managers. In February 2009, the findings were released to DCA members. These findings are invaluable in assisting managers understand their own level of competence, with a view to further developing this. Managerial workshops available through DCA have been developed on the basis of these findings.

Other projects to be launched include:

Working for the Future: A National Survey of Employees

DCA is planning to conduct a comprehensive national survey of employees to measure the current and future Australian workforce, employment conditions, diversity demographics, employee engagement and well-being, productivity, business effectiveness and workforce planning capacity. This will provide Australian employers with better access to systematic and reliable information on employment- and diversity-related workplace trends. These include issues such as key employment drivers for various diversity groups (e.g. Aboriginal Australians, various generations and cultural backgrounds, men and women, primary care-givers etc), employee engagement and well-being for various industry sectors and diversity groups, and characteristics of effective workplaces. The research report findings will include national and international employment- and diversity-related benchmarking data.

LGBT Corporate Equality Index

In partnership with the National LGBT Health Alliance (NLHA), DCA will launch a new LGBT Corporate Equality Index project designed to promote employers who

show leadership and a demonstrated commitment to workplace diversity. DCA members will be invited to participate.

Diversity in an economic downturn survey

Monitoring the impact of the economic downturn on the diversity agenda in the Australian business context is critical. DCA will be launching a *Diversity in an Economic Downturn Survey*. This survey will provide members with benchmarking data on the extent to which the GFC has impacted on Australian organisations' diversity agenda, what diversity-related actions organisations have taken to respond, and whether 'right-sizing' has disproportionately affected individuals from particular demographic groups.

Advisory services

Our consultants worked hard during 2008 to assist our members in a variety of capacities. This included:

- Reviewing and providing advice on members' human resource and equal employment opportunity (EEO) and diversity strategies and policies
- Successfully conducting complex investigations of inappropriate workplace behaviour for clients
- Carrying out mediation and counselling on diversity issues.

Workplace education

Consultants continued to provide quality, tailored in-house education programs for our members throughout the year. Programs were developed and implemented around Australia covering the full range of diversity topics, including:

- Diversity/EEO orientation or induction programs
- General diversity and EEO awareness training programs for employees, managers and senior managers
- Managing and investigating EEO and diversity complaints
- Contact Officer programs

- Identifying and preventing bullying and harassment in the workplace
- A religious, vilification and harassment program for the AFL and VFL and with Cricket Australia.

Events and briefings

In 2008, DCA held a number of events and briefings for a range of audiences in several capital cities around Australia.

CEO Diversity Roundtable

DCA and National Australia Bank hosted a CEO Diversity Roundtable in April with Julia Gillard, Deputy Prime Minister, Minister for Employment & Workplace Relations, Education and Social Inclusion. This was the first in a series of roundtables designed to provide a forum to discuss key diversity-related legislative and other developments.

The key areas of discussion with Deputy Prime Minister Gillard were:

- The need for the NES to be simple and easily understood by business and the community, and that the machinery provisions need not be onerous.
- Large, sophisticated organisations have or will undertake the flexibility discussions appropriately but small to medium enterprises might need a bit of assistance in terms of flexible practices.
- Requests for flexible working options are best negotiated at the workplace level rather than through an external appeal mechanism.
- Social issues and economic imperatives drive the need to open up pathways to participation in the workforce for all Australians - corporate Australia has a role in this.

Participants at the forum comprised a selection of CEOs and senior representatives of DCA member organisations from various sectors such as banking and finance, mining, energy, construction and professional services.

Women's Network

In March DCA was delighted to hold a Corporate Women's Network event hosted by Telstra in Brisbane, to celebrate International Women's Day.

International Women's Day is a day to celebrate the gains women have made over the years and to bring attention to the issues that women still face. While most would acknowledge much progress has been made in raising the profile and opportunities for women in the workplace, many women are still finding it hard to achieve career success on their own terms.

Attendees heard from the following women leaders:

- Sharron Nugent, Executive Director Enterprise Transformation, Telstra Enterprise and Government
- Nareen Young, DCA's Chief Executive Officer
- Maureen Frank, Consultant

DCA thanks Telstra for supporting this important event.

Diversity Leadership Briefings

A key membership benefit, DCA's Diversity Leadership Briefings provide the latest insight into important diversity topics. DCA thanks Gilbert + Tobin and Workplace Training Advisory Australia for supporting these valuable events.

International best practice on diversity

In May, DCA held a briefing for around 25 members, hosted by Gilbert + Tobin in Sydney, on the key learnings from an International Diversity Leadership Development Delegation to the United States. DCA hosted the delegation in partnership with Anna McPhee, the former Director of the Equal Opportunity for Women in the Workplace Agency.

The delegation attended two major women and diversity leadership conferences and visited several organisations who are diversity leaders in the US including Credit Suisse, General Electric and Lehman Brothers.

Nareen Young and Katy McDonald, Head of Employee Relations, Diversity & Policy for Westpac (and a member of the delegation), shared their initial key learnings from the delegation, including:

- How to persuade more talented women to stay in the workforce and to more aggressively promote them to leadership positions
- What award-winning organisations are doing on women and diversity
- The latest on areas like generational diversity, the role of men, and women of colour.

The right to request flexible work

As a part of the introduction of ten National Employment Standards, the Australian Government plans to introduce an extension to parental leave to formalise flexible working arrangements including a 'right to request' an extended period of parental leave or a return to part-time, flexible work after parental leave.

In June, DCA held a briefing for around 20 members on the right to request flexible work. The briefing, hosted by Gilbert + Tobin in Sydney, gave members insight into what the standard means, how it might affect their organisations in both diversity and workforce planning terms and what their organisations need to do to prepare. Expert speakers in the field included:

- Adam Searle, State Chambers Sydney
- Dianne Banks, Partner with Gilbert + Tobin
- Nareen Young, DCA's Chief Executive Officer

Making workplaces inclusive for gay and lesbian employees

In July 2008, DCA held a briefing for around 30 members on why making workplaces inclusive and welcoming for Lesbian, Gay, Bisexual and Transgender (LGBT) employees makes good business sense. Again hosted by Gilbert + Tobin in Sydney and facilitated by Nareen Young, DCA's CEO, special guest speakers were:

- Stevie Clayton, CEO of the AIDS Council of NSW
- Jason Ryan, Director - Equities Division, Merrill Lynch
- Dianne Banks, Partner, Gilbert + Tobin.

Attendees gained insight into why leading employers are committed to encouraging LGBT-friendly cultures, how to attract and retain LGBT employees, how to develop the right policies and procedures to support diversity and eliminate discrimination and harassment, and what to do to change workplace culture.

Cultural intelligence seminar

In November, DCA held a joint forum in Melbourne with Workplace Training Advisory Australia to explore how employers can ensure that their organisations are culturally intelligent and are vibrant communities that best reflect the potential employee pool and market sectors. Over 60 people attended from both DCA member and non-member organisations.

Key speakers included:

- Dr Helen Szoke, Chief Executive, Victorian Equal Opportunity and Human Rights Commission
- Karen Gallacher, Recruitment Manager, Sinclair Knight Merz
- Marilyn Miller, Senior Manager, Diversity and Cultural Change, Workforce Sustainability, Victoria Police
- Susie Babani, Group Managing Director, Human Resources, ANZ
- Nareen Young, DCA's CEO.

Recruiting outside the box

In December 2008, DCA held a forum for over 60 diversity and HR practitioners to hear how leading employers are reaping rewards from actively seeking to recruit diverse candidates.

Also hosted by Gilbert + Tobin in Sydney, key speakers and topics were:

- Tony Brown, Area Manager Sydney Mid West from the Commonwealth Bank
- Kate Kennerson from Diversity Dimensions
- Julie Mills, CEO of the peak body for the recruitment industry, the Recruitment and Consulting Services Association
- DCA's CEO Nareen Young.

Member consultations

The 2008 year was a busy one for DCA in terms of government inquiries. DCA consulted its members on key areas of legislative change and diversity and made submissions to government as detailed below. DCA thanks Telstra for hosting these member consultations via teleconference.

For more information on DCA's submissions to the inquiries visit:

<http://www.dca.org.au/Performance/Publicationsandresources/DCAsubmissions.aspx>

(See the Key Diversity Issues section below for more information on important topics.)

Member consultation on Review of the Sex Discrimination Act

The Australian Government conducted a Senate Committee review into the effectiveness of the Sex Discrimination Act (1984) in eliminating discrimination and promoting gender equality.

DCA consulted with members in July 2008 to develop a DCA position based on our experience of assisting employers to progress the status of women and meet their legislative requirements under this and other related legislation, and on our members' current views.

Member consultation on Inquiry on Paid Maternity, Paternity and Parental Leave

The Australian Government directed the Productivity Commission to examine the effectiveness of different models of support for parents with newborn children, their likely impact on work and family preferences and workforce participation more generally.

DCA consulted with key members in August 2008 to develop a DCA position. DCA's final submission advocated a national, government-funded, 14 week paid maternity leave scheme for all working women.

Member consultation on Inquiry into pay equity and associated issues related to increasing female participation in the workforce

The Australian Government asked the House Standing Committee on Employment and Workplace Relations to inquire into and report on pay equity and associated issues related to increasing female participation in the workforce.

DCA held a consultation with members in September 2008 to gauge member views on this and associated issues. DCA's final submission was developed after extensive member feedback and contribution.

Member consultation on National Disability Strategy

The Australian Government is developing a National Disability Strategy that aims to address the barriers faced by Australians with disability and promote social inclusion, and has released a discussion paper for public comment.

DCA held a consultation with members in November 2008 to develop its final submission to the strategy.

The 21st Women, Management and Employment Relations Conference

DCA once again sponsored Macquarie Graduate School of Management's Women, Management and Employment Relations conference in July 2008. The conference provides an annual audit of the key issues facing women in the workplace.

DCA's CEO Nareen Young spoke after lunch on the National Work and Family Awards. DCA also sponsored the dinner and key-note address by The Hon. Maxine McKew MP, Parliamentary Secretary for Early Childhood Education and Child Care, Member for Bennelong, Australian Labor Party. Maxine has a 30-year career as a broadcaster and print journalist, and is a multi-award winner including: Walkley, Logie and Centenary Medal for Services to Broadcasting in 2003.

DCA's communications

DCA has continued to evolve and enhance its communications. Our flagship communications include:

- *Research Matters*. This is a unique and original membership service that is part of DCA's mission to work in partnership with our member organisations to achieve leadership in diversity thinking and practice. This quarterly members-only bulletin reports on innovative industry and academic diversity research undertaken both in Australia and internationally.
- *Diversity Matters* quarterly members-only newsletter. This showcases best practice initiatives as well as exploring 'hot' diversity issues and trends, practical information on how to manage real life issues in the workplace, information about proposed changes to legislation and case law. Market research showed that *Diversity Matters* is one of the most valued resources

for members. In 2008, the publication covered a range of important diversity topics including: flexible working, ageing workforce, women's employment, cultural diversity and recruiting for diversity.

- *Diversity Matters update*. This fortnightly bulletin explores the latest diversity news and features commentary by leaders in the field as well as profiling best practice in diversity.
- *The members-only area of the web site*. In this area members can access valuable information on key diversity issues including statistics, case law, policies and best practice examples. During the year, DCA updated information on key diversity areas including generations, LGBT, Indigenous, gender, multi-faith, multicultural, work-life, disability and diversity management.

Sponsorships and partnerships

DCA has worked hard to develop partnerships and relationships to further the diversity agenda in the wider community. In 2008 this has included:

- Completion of the partnership project with NAB for research into attracting and retaining Aboriginal employees
- Continuation of a very successful partnership with Gilbert + Tobin who kindly hosted all DCA events in Sydney
- Ongoing and valued sponsor support from IBM Australia and the Australian Federal Police and new sponsorship and hosting support from other leading members including ANZ, Ernst & Young, Shell and Telstra
- A new partnership with Workplace Training Advisory Australia to deliver important events and compliance training to a wider audience
- New premises for our Sydney office in 2009, generously provided by Stockland.

KEY DIVERSITY ISSUES IN 2008

As a result of several government inquiries in 2008, DCA consulted widely with members on several key issues and developed extensive and detailed positions on these. These issues have related to equity for women in the workplace – an area of ongoing concern for us given our foundation in equal opportunity for women in 1985 and the lack of progress in some areas since then.

Pay equity

The significant gender pay gap between men and women that persists, despite decades of discussion, is clearly a significant productivity issue. DCA is committed to assisting our members to address this through developing and implementing strategies for attraction, engagement, retention and workforce/workplace planning.

To assist in progressing gender equality in Australian workplaces, DCA developed a submission to the Australian Government's Pay Equity Inquiry on the basis of consultation with our members, Australia's leaders in diversity practice. This was informed by research DCA undertook into community awareness on pay equity. The final submission consists of an overarching position on pay equity and ten recommendations for change, as outlined below. DCA's CEO Nareen Young appeared before the House Standing Committee into Pay Equity in Sydney on 26 September to discuss the submission on behalf of DCA members.

Community awareness on pay equity: DCA-EOWA research

In partnership with the Equal Opportunity for Women in the Workplace Agency (EOWA), DCA commissioned polling research to assess community awareness of pay equity.

The findings validate DCA's view and experience that awareness and understanding of pay equity amongst the general community and the business community is low.

Australians don't know what pay equity is

Most Australians are unaware of the correct definition of pay equity, in both the Australian community overall and the business community more specifically.

In the general community, only 12% of people think pay equity means "equal pay for men and women doing different but equivalent jobs". Nearly two thirds of people (63%) think it means "equal pay for men and women doing the same job" (a significantly more restrictive definition), whilst 26% of people did not know, or gave alternative incorrect answers.

While people from the business community are more likely to define pay equity correctly (39%), over half (55%) still believe it means "equal pay for men and women doing the same job", with 6% giving alternative incorrect answers.

Interestingly, women are somewhat more likely than men to define pay equity correctly. In the general community, 15% of women answer correctly versus 10% of men, while in the business community 40% of women answer correctly versus 29% of men.

Australians know a pay gap exists

Most Australians are aware that Australian women, on average, earn less than Australian men. In the business community, 94% of people indicate women, on average, earn less than men, while 82% of people from the general community respond in this way.

Australians don't know what the gap actually is

Most Australians are not able to correctly identify the approximate gender pay gap between female and male full-time workers.

Only 29% of the general community and 39% of the business community are correctly aware that full-time female workers earn between 11% and 20% less than full-time male workers.

Significantly, 41% of the general community underestimate the gap, or believe women earn the same or more than men.

More men than women underestimate the gap or believe women earn the same or more than men. In the general community, nearly half of all men (48%) underestimate the gap or believe women earn the same or more than men versus a third of women (32%). In the business community 39% of men responded in this way versus 15% of women.

Interestingly, younger people in the general community are more likely to underestimate the disparity in wages or think that women earn more than men. Nearly half of 18-24 year olds (48%) underestimate the gap or believe women earn the same, or more than men versus a third (34%) of 55-64 year olds.

While the business community had a higher level of awareness about what pay equity is and whether a gap existed, alarmingly human resource practitioners are somewhat more likely to underestimate the gap or believe women earn the same, or more than men. Twenty-four percent of people in human resource-related roles underestimate the gap or believe women earn the same or more than men versus 17% of people in other organisational roles.

Australians want the gap closed

The majority of respondents agree that "steps should be taken to close the gap between men and women's earnings".

Support for steps to close the gap was strongest amongst the business community with virtually all (96%) agreeing that steps should be taken to close the gap. Amongst the general community, 8 out of 10 Australians (80%) agree that "steps should be taken to close the gap between men and women's earnings."

Women are more likely than men to strongly agree that steps should be taken - 69% of women versus 42% of men in the general community, and 87% of women versus 59% of men in the business community.

Human resource practitioners are slightly less likely to strongly agree that "steps should be taken to close the gap" (79% compared to 85% for people in other roles).

Research conclusions

These findings demonstrate the critical need for raising community awareness about pay equity, amongst both the general community and the business community.

Additionally, the findings endorse the Australian Government's Inquiry and go some way towards providing a mandate for steps to be taken to close the gender pay equity gap.

Specifically, there is a deep and profound need to educate the community about the meaning of pay equity – that it goes beyond equal pay for equal work to encompass equal pay for work of equal value. While this meaning has existed legislatively in Australia for decades, the poll's findings demonstrate that Australians predominantly understand pay equity in restrictive terms, limiting it to equal pay for equal work.

Overarching DCA position

DCA made a detailed submission to the Inquiry into pay equity. In its submission, DCA congratulates the Australian Government for taking a significant step in beginning to address gender wage and salary disparities on this national and whole-of-community basis through the inquiry. Such an inquiry is particularly pertinent given this year marks the 25th anniversary year of Australia's ratification of the UN Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW).

Committed to closing the gap

DCA members are committed to closing the pay equity gap between men and women. Findings from the DCA-EOWA poll demonstrate that this commitment is overwhelmingly shared by business and the Australian community more generally.

Gender productivity gap

DCA advocates the Australian Government adopt a "gender productivity gap" positioning as undertaken in the United Kingdom¹. Here, pay equity was considered as a "gender productivity gap", in recognition that women's position in employment has implications not just for their pay, but also for the UK's productivity and economic performance. Using the pay gap as a starting point, researchers commissioned by the UK government investigated what this gap meant for broader economic objectives relating to output and productivity levels. Productivity is important as it is a key factor in raising the rate of economic growth. The researchers found that labour market failures including "out-moded rigidities" due to occupational sex segregation and limited flexibility needed to

¹ Walby, S. and Olsen, W. (2002) *The impact of women's position in the labour market on pay and implications for UK productivity*. Report to Women and Equality Unit November 2002.

enable women to combine caring and employment, were preventing the most effective deployment of labour. This was interfering with the best allocation of resources and thus lowering the productivity of the British economy.

DCA concurs with this view and suggests that such a conceptual framework should be applied in the Australian context and adapted to Australian exigencies.

Business leadership position

DCA members have adopted a leadership stance with respect to pay equity, in the absence of a federal government policy framework and the under-utilisation of state legislative/policy framework positions by the traditional industrial relations parties.

Leading DCA members realise the business benefits associated with addressing pay equity. As EOWA notes², organisations that ensure they remunerate staff equally signal their commitment to their employees and this commonly translates into increased job satisfaction, greater employee productivity and improved employee loyalty. Additionally, such organisations will be less likely to be exposed to costly, time-consuming and damaging discrimination complaints as a result of unequal remuneration.

Robust non-mandatory approach

DCA supports the federal government adopting a robust non-mandatory approach to progressing pay equity, emphasising greater education and information and better data analysis and monitoring. The recommendations below are premised on such an approach. They are based on DCA's extensive experience working closely with members and on the results of polling as indicated above.

Recommendation 1: Establish Women and Work Office, including EOWA and a pay equity function

DCA recommends that a Women and Work Office be established, including the existing infrastructure and branding that EOWA has established (in recent years in particular) and including a pay equity function.

Such an approach reflects that adopted in the UK – in 2004, the UK Government announced the establishment of the Women and Work Commission which was given the remit of considering how to close the gender pay and opportunities gap.

Such an office would include EOWA's current function to administer the *Equal Opportunity for Women in the Workplace Act 1999* (Commonwealth) and educate, assist and support organisations to achieve equal opportunity for women. It would have additional non-legislative based pay equity function. This would entail educating the general community about pay equity, as well as educating, assisting and supporting the business community to progress pay equity.

Consideration should be given to such a pay equity function also being integrated into other appropriate government department and agencies to enable pay equity for other diversity groups in the community to be investigated (e.g. Aboriginal Australians, Torres Straight Island Australians, people with disabilities etc).

Acting on this recommendation would enable the Australian Government to raise community awareness and understanding of pay equity (previously identified from DCA experience and the DCA-EOWA poll as a serious concern). Such an office would ensure pay equity remained on the community and business agenda. Basing this office on EOWA would enable the government to leverage off the good work already being undertaken by EOWA (e.g. pay equity data analysis, information and tools).

Recommendation 2: Ensure Women and Work Office (including EOWA) sits under DEEWR, with joint reporting to DEEWR and the Minister for Women

DCA recommends that the Women and Work Office (including EOWA) reside in the Department of Education, Employment and Workplace Relations (DEEWR) portfolio to 'mainstream' gender diversity and equity and encourage it to be viewed as a business productivity issue in the business and Australian community.

DCA suggests that this office should jointly report to DEEWR and the Minister for the Status of Women to ensure the focus on gender diversity and equity stays strong and that gender diversity and equity are considered from both business community and general community perspectives.

² EOWA web-site. Available at:
http://www.eowa.gov.au/Australian_Women_In_Leadership_Census/About_Equal_Opportunity/Why_EO_Makes_Business_Sense.asp

Recommendation 3: Resource Women and Work Office (including EOWA) to raise community awareness

DCA recommends the proposed Women and Work Office be resourced to educate and support the general community in relation to pay equity. This would include raising awareness and understanding about pay equity including (but not limited to) what it means, what causes it, and how it can be addressed. The DCA-EOWA poll results indicate that raising general community awareness is key to addressing pay equity.

More specifically, DCA suggests that the proposed office conducts education campaigns that:

- Encourage the community to value 'women's work' and 'women's working patterns', and
- Raise awareness about the existence of pay equity, what constitutes pay equity (i.e. beyond equal pay for equal work to equal pay for work of equal value) and what actions people, organisations, and the government can take to close the gap (EOWA's recent Gender Pay Equity day is an example of such a campaign).

Other education campaigns could aim to encourage women into non-traditional sectors and occupations, and target female students and career advisors to raise awareness about the significance of negotiating good starting out salaries and making career choices which pay well.

DCA also suggests information and guidance be provided for working women on negotiating, bargaining, and recognition of skills, and for unions on supporting pay equity in collective and multi-employer bargaining.

Recommendation 4: Resource Women and Work Office (including EOWA) to educate and support business

DCA recommends the proposed Women and Work Office be resourced to educate and support the business community in relation to pay equity. This would include raising awareness and understanding about pay equity including, what it means, what causes it, and how it can be addressed. The DCA-EOWA poll results indicate that raising business sector awareness is key to addressing pay equity.

More specifically, DCA suggests that the proposed office *establish a suite of tools* that could support gender pay equity at the workplace level including for instance pay equity auditing tools, job valuation processes, and action plans and

remedies. Such tools could build on EOWA's existing pay equity information and tool, HREOC's Equal Pay Handbook, and Western Australia's Pay Equity Office educational materials. Consideration should also be given to work undertaken in international arenas including Canada (specifically Ontario and Quebec), the UK and New Zealand.

DCA also recommends the proposed office develop and make available *best practice case studies*. It is DCA's experience that good work is being undertaken by leading diversity employers but that resources need to be allocated to identify, capture and disseminate these examples of good practice.

DCA notes that it is important that tools developed by the proposed office ensure they educate employers about the importance of *providing access to development and promotion opportunities for women on flexible arrangements and maternity/parental leave*. This could be done for instance through integrating educational material into existing EOWA employment matters guidelines and tools and through guidelines which may be developed as part of the proposed 'Right to Request' in the National Employment Standards.

Recommendation 5: Resource Women and Work Office (including EOWA) to improve data analysis and monitoring

DCA recommends the proposed Women and Work Office be resourced to enable better pay equity-related data analysis and monitoring to be undertaken. In particular DCA members would welcome leading edge industry-specific benchmarking information on pay equity gaps and women in senior roles as this would provide a meaningful point of comparison and act as an incentive to their organisations to aspire to industry best practice.

Recommendation 6: Fund pay equity research

DCA recommends the government fund pay equity research to assist with data analysis and monitoring and educate business and community. Examples of research that could be undertaken include:

- Economic modeling to demonstrate productivity cost,
- Business and workplace solutions that work - building on the experiences of leading diversity employers,
- Gender-neutral remuneration and job evaluation/classification systems, and
- Leading edge industry-specific pay equity gap benchmarks.

Implementing this recommendation would provide the business community with much needed evidence-based business case material, best practice benchmarks, and guidance on addressing pay equity.

Recommendation 7: Consider employer tax incentives to improve women's workforce participation including in non-traditional areas

DCA recommends that, following the UK's 2001 Kingsmill Report into Women's Employment and Pay, consideration be given to providing employer training incentives to improve women's workforce participation. For instance, employer tax credits could be given for employers recruiting and training women in occupations in which women are significantly under-represented. Employer tax credits could also be provided to employers training groups of women who have been identified as being likely to receive training. Such groups were identified in the 2004 Review of the Gender Pay Gap in Western Australia as including female casual and part-time workers, carers of very young children, women in lower level jobs, and women in feminised industries³.

Implementing this recommendation would address the gender productivity gap by providing women with greater opportunities to access the employment market, including occupations and industries in which they are under-represented.

Recommendation 8: Consider superannuation changes to reduce the gender gap

DCA recommends the government give consideration to implementing superannuation-related initiatives to reduce the gender pay gap. Currently, women's average superannuation payout is half that of men's⁴, in part as a consequence of having interrupted work patterns due to care-giving responsibilities. Initiatives could include continuing the government's co-contribution scheme for low-income earners, adding a super component to government-funded paid maternity leave, and removing the 15% contribution tax on super for women while they are out of workforce.

Recommendation 9: Introduce 14 weeks government funded paid parental leave

DCA recommends the government introduce 14 weeks government-funded paid maternity leave (see DCA Paid Maternity Leave Submission). Consideration should also be given to adding a superannuation component to this essential employment market-linked payment.

This would positively impact on the gender productivity gap through increasing women's participation in the labour market. Analysis of paid maternity leave provisions against workforce participation rates in OECD countries indicates paid parental leave has a positive impact on labour force participation⁵. These findings are borne out by high female workforce participation rates in countries which have led the way internationally with respect to paid maternity and parental leave provisions - in Sweden and Denmark female workforce participation rates have been over 80% since 1981⁶.

Recommendation 10: Implement recommendations from the Inquiry into Better Support for Carers to generate a more accessible labour market for care-givers

It is DCA's view that the general and business community would benefit from a more strategic whole of government approach to considering care-giving. This would entail adopting a lifecycle approach that includes childcare (beyond 0-5 age range), eldercare, and care of people with disabilities. In relation to this, DCA supports the federal government's recent Inquiry and looks forward to hearing about proposed options for generating a more accessible labour market for Australians with care-giving responsibilities. Fundamentally, DCA considers that such options should legitimise women's working patterns and enable them to access meaningful well-paid permanent part-time and flexible work arrangements.

³ Todd, T. and Eveline, J. (2004) *Report on the review of the gender pay gap in Western Australia*.

⁴ Australian Institute of Superannuation Trustees (2008). *Media release on paid maternity leave*. June 6 2008. Available at: http://www.aist.asn.au/Pages/Footer/SubPage_Media/AISTMedia/documents/06-06-08-MaternityPayments.pdf

⁵ Jaumotte, F. (2003) 'Labour force participation of women: Empirical evidence on the role of policy and other determinants in OECD countries,' *OECD Economic Studies*, No. 37 (2). Available at: <http://www.oecd.org/dataoecd/12/39/34562935.pdf>

⁶ Jaumotte, F. (2003)

Paid maternity leave

The Australian Government directed the Productivity Commission to examine the effectiveness of different models of support for parents with newborn children, their likely impact on work and family preferences and workforce participation more generally.

After consultation with members, DCA's submission to the inquiry advocated a national, government-funded, 14 week paid maternity leave scheme for all working women. Our broad recommendations are detailed below.

Recommendation 1: DCA supports all women having access to 14 weeks government-funded paid maternity leave

This is consistent with the position of the Human Rights & Equal Opportunity Commission, the Australian Industry Group and the Australian Council of Trade Unions.⁷ Australia is only one of two OECD countries who currently have no entitlement to paid maternity leave along with the United States.

Recommendation 2: 14 weeks paid maternity leave should be government-funded.

DCA believes that the 14 weeks paid maternity leave should be partially funded by rolling the Federal Government \$5000 baby bonus into the 14 weeks paid maternity leave payment and provide paid leave for all workers as a workplace entitlement.

This scheme would be government-funded at the level of the minimum wage.

Employees working for larger private or public sector organisations will still be eligible for greater benefits funded by their employer, such as the NAB and Lend Lease.

Employees should be given the option of electing to receive payment for this leave either as a lump sum in advance at the commencement of the leave or spread out over the course of their leave. The experience of DCA members is

that employees appreciate being able to take the benefit in paid leave at a half rate spread over a longer period of leave.

Recommendation 3: Same sex couples and adoption primary care-givers should be able to access the same leave entitlements

Review of changes to the Sex Discrimination Act

DCA welcomes the Inquiry into the effectiveness of the Commonwealth Sex Discrimination Act announced by the Federal Government in June 2008. The Act is a vital piece of legislation, having played a key role in raising societal awareness of sex discrimination and providing access to remedies for individuals whose complaints fall within the parameters of the Act.

While direct evidence of the social and societal impacts of the implementation of the provisions of the Act have not been tracked in any meaningful way, indirect evidence of the positive impact of the Act in DCA's specific area of interest - employment market participation - can be found in the increase in women's workforce participation, from 49% in 1984 to more than 58% in 2006⁸, and the reduction (albeit slight) in the gender pay gap from 18.2% in 1984 to 15.2% in 2004⁹.

Notwithstanding, DCA notes there is considerable room for improvement with respect to gender equality in Australian workplaces. As Sara Charlesworth¹⁰ points out in her recent analysis of the effectiveness of the Sex Discrimination Act, despite the closing of the gender participation gap, much of the employment growth for women has been in part-time work where (regrettably) career advancement opportunities are limited, where wages growth is below average, and where a small but growing proportion of women are in fact underemployed (that is, they want to work more hours). Added to this, occupational and industry

⁸ ABS, (2006). *ABS 1986-2006 censuses of population and housing*, Available at: <http://www.abs.gov.au/AUSSTATS/abs@.nsf/Lookup/4102.0Chapter7002008>

⁹ EOWA, (2005). *Pay equity statistics March 2005*, Sydney: EOWA.

¹⁰ Charlesworth, S. (2007). *Understandings of sex discrimination in the workplace: Limits and possibilities*, Clare Burton Memorial Lecture 2007, p. 4. Available at: <http://mams.rmit.edu.au/tug062qz5vva1.pdf>

⁷The Human Rights & Equal Opportunity Commission, AiG and the ACTU recently called for 14 weeks paid leave, see: http://www.hreoc.gov.au/about/media/media_releases/2008/38_08.html. 14 weeks of paid leave is internationally recognised as being a suitable minimum amount of time and is the standard in the International Labour Organisation's (ILO) Maternity Protection Convention, <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C183>.

segregation by gender persists, with women concentrated in a narrow band of occupations in the service sector¹¹.

To assist in progressing gender equality in Australian workplaces, DCA developed its submission, on the basis of consultation with its members. The submission consists of an overarching position on the legislation, as well as four key recommendations for change. These recommendations will position Australian employers to better prevent and manage sex discrimination in the workplace, while promoting equality for women in an economic and labour market environment where DCA considers women's labour market capacity is currently under-utilised.

Overarching Position

DCA is deeply committed to the spirit and application of the Sex Discrimination Act, as well as the number, integrity and public and community role of the Commissioners of the Human Rights and Equal Opportunity Commission ('HREOC'). The legislation has played an important role in raising awareness of sex discrimination and providing access to remedies for individuals whose complaints fall within the parameters of the Act.

Recommendation 1: Introduce a federal anti-discrimination act

DCA recommends a federal anti-discrimination act be established to provide a uniform national standard with respect to anti-discrimination rights and responsibilities. It is anticipated that this would require states and territories agreeing to a national anti-discrimination framework by way of, for instance, conceding to a federal act.

This act should include grounds of discrimination currently included in various state and territory anti-discrimination legislation including:

age, race ethnicity, national origin, social origin, sex, sexual orientation, gender identity, marital status, family responsibilities, pregnancy and potential pregnancy, religious conviction, political conviction, physical, intellectual, psychological or psychiatric disability, irrelevant criminal record.

DCA notes grounds of discrimination could be added to the proposed act as community definitions emerge.

Definitions and interpretations of particular grounds of discrimination should follow the most sophisticated and responsive approaches taken to-date in various state and territory anti-discrimination legislation (for example, 'family responsibilities' as outlined in Victorian legislation [see Appendix A]).

Such legislation should clearly differentiate between, and clarify intersections between, discrimination and harassment, and bullying.

The existing framework of specialist Commissioners (i.e. Human Rights Commissioner and Disability Discrimination, Aboriginal and Torres Strait Islander Social Justice Commissioner and Race Discrimination Commissioner, Sex Discrimination Commissioner and Commissioner responsible for Age Discrimination) should be retained and could be added to in the event of additional grounds of discrimination being adopted as addendums to the act.

Rationale

Acting on this recommendation would address the lack of consistency between various states and territories with respect to anti-discrimination legislation. Providing one uniform national standard would assist employers and potential and current employees more clearly understand their legal rights and responsibilities.

Further clarifying the difference between discrimination and harassment and bullying would reduce community confusion about these behaviours and their legal definitions. It is DCA's experience that the differences between these behaviours are not well understood in the general community, nor are the respective legal jurisdictions that cover each.

Retaining the existing (and possibly enhanced) framework of specialist Commissioners would ensure due attention, resources and focus continues to be given to each of the important areas of human rights, Aboriginal and Torres Strait Islander social justice, age discrimination, disability discrimination, race discrimination, and sex discrimination.

Recommendation 2: Provide a clearer definition of indirect discrimination

DCA recommends the legislation clarify what constitutes indirect discrimination, through introducing a clear definition of indirect discrimination into the legislation. This would specify the comparator group and indicate how employers can utilise

¹¹ Charlesworth, p. 4.

workforce statistics to demonstrate their policies and practices do not treat women less favourably.

Rationale

Acting on this recommendation would provide greater clarity to employers. Indirect discrimination laws are aimed at stopping the effects of requirements, practices or conditions which are apparently neutral, but which have discriminatory effects¹². Indirect discrimination consists of situations where disparate or adverse impacts on women compared to a comparator group can be demonstrated¹³. Currently the test for the scope of indirect discrimination is vague and courts have handed down conflicting interpretations. For example, in some cases women returning from maternity leave have established a right to seek part-time work to accommodate conflicting work and family responsibilities (e.g. *Hickie v Hunt & Hunt [1998]*, *Mayer v Ansto [2003]*)¹⁴. In other instances, the law has been interpreted more narrowly: for example, *Kelly v TPG Internet Pty Ltd [2003]* in which the court held that a contractual requirement to work full-time was not a 'condition, requirement or practice' which could be challenged within the legislation, and therefore there was no right to have the employer consider whether part-time work could be made available. Thus because the employer did not offer flexible work generally to its staff, it could be refused to new mothers in its workforce¹⁵. In this way, there is inconsistency and lack of clarity for employers about what constitutes indirect discrimination, an appropriate comparator group, and an appropriate response to flexibility requests from women with care-giving responsibilities.

In DCA's consultation, members indicated that introducing a clearer definition of indirect discrimination would assist with promoting awareness amongst the community that many workplaces changes (e.g. parent rooms for nursing mothers) are not 'special privileges' but part of being responsive to differing gender-based needs. Additionally, members indicated such a definition would greatly clarify for employers what constitutes appropriate responses to women returning to work from maternity leave and seeking part-time work.

¹² Guest, K. (1999). *The elusive promise of equality: Analysing the limits of the Sex Discrimination Act 1984*, Research Paper 16 1998-99, Parliamentary Library, Parliament of Australia. Available at: <http://www.aph.gov.au/library/pubs/rp/1998-99/99rp16.htm>

¹³ Charlesworth, pp. 2-3.

¹⁴ Gaze, B. (2005). 'Twenty years of the Sex Discrimination Act,' *Alternative Law Journal*, Vol 30, p. 5.

¹⁵ Gaze, p. 5.

Recommendation 3: Strengthen HREOC's community profile

DCA recommends HREOC's conciliation structure be extended so that:

- Conciliators with appropriate expertise (i.e. workplace and diversity and equal employment opportunity experience and expertise) are appointed from the community, and
- Conciliations sit in regional areas (following the example of relevant state industrial tribunals).

Rationale

Acting on this recommendation would:

- Strengthen the profile of HREOC in the community, including in regional areas,
- Improve access in regional areas and so minimize fear of the conciliation process (for example, of having to travel to a capital city to navigate an unfamiliar and therefore potentially intimidating process),
- Assist with local ownership and resolution of issues and complaints,
- Promote timely resolution of issues, prior to working relationships being irrevocably damaged, and
- Raise awareness and understanding amongst the general community about what constitutes discrimination and harassment.

Recommendation 4: Develop workplace grievance guidelines

DCA recommends community guidelines which adopt a workplace grievance procedure approach be developed. Specifically, such an approach would entail listing resolution options from informal to formal and lowest to highest levels of intervention. The guidelines would stipulate that the complainant should have already sought to resolve the issue at the workplace level, before seeking assistance or further resolution through HREOC.

Rationale

Acting on this recommendation would respond to the general lack of awareness and understanding amongst the general community about grievance and resolution options available to individuals with complaints. Specifically, such guidelines would make clear that in some types of complaints (for example,

sexual assault in the workplace) there are connections with industrial relations, civil and criminal legislation and these may take precedence over anti-discrimination legislation. While larger employers tend to have workplace grievance guidelines such as these in place, many smaller employers do not. This hinders effective resolution of issues as employers and their employees are not equipped with the necessary information on appropriate processes to follow and outcomes to expect.

OUR PEOPLE

Our senior staff have enviable reputations, qualifications and strong business background in the fields of equal opportunity and diversity. Our expert consultants have extensive backgrounds in the law, human resources, training, investigations and policy development. They have experience of Australian business, its environments and of anti-discrimination compliance requirements under Federal, State and Territory legislation.

Collectively, consultants' work history includes substantial experience in:

- All private sector industries, government, quasi-government, higher education, non-government school, trade union, employer association and non-government organisations sectors, and;
- Law, human resource management, workplace relations, organisation development, change management, adult learning, diversity management, policy and procedure development, and preventing and managing workplace discrimination and harassment.

Nareen Young – Chief Executive Officer

Nareen Young was appointed CEO for Diversity Council Australia (DCA) in June 2007 after working for DCA for two years as Senior Consultant. The CEO appointment is the most recent highlight in her notable career as a senior strategic diversity practitioner and acknowledges her role as one of Australia's leading strategic diversity practitioners and thought leaders.

In early 2009 Deputy Prime Minister Julia Gillard appointed Nareen, representing DCA, to Chair the Judging and Accreditation Panel for the revamped National Work and Family Awards.

Nareen was the Director of the NSW Working Women's Centre, funded by Federal and NSW Governments, from 1998 to 2005. In 2003 she was nominated for a Human Rights Award and Medal for her leadership at the NSW Working Women's Centre in "... developing and implementing innovative and sustained activities ..." so that the Centre was an accessible service and could play a significant role in employment matters in New South Wales.

Prior to her appointment at the NSW Working Women's Centre, Nareen was a trade union official and during this time served in female affirmative action positions, in both cases elected by her peers, on the executive of Unions NSW and the Australian Council of Trade Unions.

Nareen has presented and published widely and considers the many career opportunities she has been presented through working in diversity to be a great privilege. She lives in Sydney with her partner, two children and numerous animals.

Lisa Annese - Acting Research Director

Lisa Annese became Acting Research Director in April 2009 when Jane O'Leary took parental leave. Lisa's career began in 1991 as a business graduate at Westpac Banking Corporation. She soon realised her strong calling in the area of social justice and developed her talents in human resources as a stepping stone into diversity management. She spent many months running sexual harassment and discrimination training sessions to an often hostile audience. She also developed many 'best-practice' (at the time) company policies and communicated them to a workforce of over 30,000. Her final project at Westpac was the establishment of its first ever on-site childcare centre.

From 2000, Lisa spent several years working at EOWA (Equal Opportunity for Women in the Workplace Agency), first as an employee and then as an external contractor. She was instrumental in the management of the majority of projects of the time, including the first ever census of 'Australian Women in Leadership', the first-ever 'Business Achievement Awards', the beginning of the 'Employer of Choice' citation, the development of a new website and the implementation of the Equal Opportunity for Women in the Workplace Act (1999) through assisting employers with both compliance/waiving applications and conducting assessments.

In 2004, Lisa co-authored "Chief Executives Unplugged: CEO's Get Real About Women in the Workplace" which was named a "must-read business book" by AFR/BOSS magazine in 2005.

In the last few years Lisa has been running a small but successful television production and multi-media company with her husband, (B-Line Edit Services) in Crows Nest, Sydney. Her primary responsibilities have been in financial management and human resources.

Lisa has a Bachelor of Business (Marketing) from UTS in Sydney and a Graduate Certificate of Commerce (Human Resource Management) from Charles Sturt University.

Frank Bassini – Principal Consultant

Frank came to Diversity Council Australia in 2001 from a large Australian manufacturer where he worked in the positions of Equal Opportunity Officer and Diversity Coordinator. Frank also has extensive experience in the field of equal opportunity, working as a Senior Conciliator for the Equal Opportunity Commission of Victoria (EOCV).

Throughout Frank's professional career he has been committed to diversity and equal opportunity and he has worked to promote the advantages of diversity in the school room (as a teacher and an Education Consultant), the workplace and wider society.

Frank holds a Bachelor of Education and has brought a wealth of experience to Diversity Council Australia. He consults to organisations across all sectors in Australia from sporting bodies (such as Cricket Australia, Football Victoria and the AFL) to mining, manufacturing, transport and utilities. He has also worked in New Zealand.

His clients speak very highly of the skills and expertise he provides, especially his training. He spent 12 years on the shop floor at a large manufacturer and thrives on changing behaviour in robust, male-dominated environments. He also provides investigation and mediation services and always offers practical solutions to workplace issues: his experience at EOCV gives him great insight into the complaints process from the other side of the fence.

Jane O'Leary – Research Director

Jane O'Leary has been with DCA since 2001, working closely with members to assist them foster organisational cultures which are inclusive of all personal differences. In 2005, Jane was awarded a federal government scholarship to conduct PhD research examining the diversity capability of Australian managers - specifically, what constitutes competence in managing diversity and how Australian managers can most effectively manage workplace diversity.

Jane is in the final stage of her PhD examining competence in managing workplace diversity at The University of Queensland Business School. Her research has been well received, with papers based on her research having been presented at international and national conferences.

Prior to joining DCA, Jane worked in the Equal Opportunity for Women in the Workplace Agency (EOWA) and the Queensland University of Technology, consulting to employers and staff on issues relating to diversity and inclusion and adult learning and development.

In 1996, Jane was awarded a Masters of Education, studying in the area of women in leadership. She has published papers on women and careers, women and leadership, qualitative research techniques, and learning and development. Her particular areas of specialisation include managerial diversity capability, diversity strategy development, implementation and evaluation, women in the workplace, and learning and development.

Jane went on parental leave in April 2009.

Catherine Petterson – Communications Director

Catherine Petterson joined the Council in 2004 to revamp its communications and organise its 20th Anniversary celebrations. This evolved into orchestrating DCA's name change (from the Council for Equal Opportunity in Employment Ltd) and implementing a new corporate image in 2005. She now looks after DCA's regular communications including *Diversity Matters* and *Diversity Matters update*, the web site and all client communications. Catherine is responsible for planning and management of all DCA events including DCA's Annual Conference on Diversity in 2005, 2006 and 2007.

Catherine has taken on the role of overseeing the operations of the Melbourne office and several other aspects of running the business.

Catherine has a background in corporate communications including a long stint at ANZ in a variety of senior communications roles. She also worked at public relations firm Hinton & Associates where she provided strategic financial and corporate communications advice to listed companies.

Catherine has a Bachelor of Commerce from the University of Melbourne and a Master of Arts in Communications from Monash University.

Our key supporting staff members include:**Annique Jones – Bookkeeper**

Annique Jones joined DCA in June 2008, taking over the bookkeeping function that has been relocated to Melbourne. She has considerable skills and experience in bookkeeping and is a valuable addition to the organisation.

Richard Marazita – Executive Assistant to CEO and Customer Relationships Manager

Richard Marazita joined the Sydney DCA team in 2006 and was contracted to provide administrative and research assistance for the Grey Matters project. He now performs the role of Executive Assistant to the CEO as well as liaising with DCA members and clients in Sydney.

Suzanne Tan – Customer Relationships Manager

Suzanne Tan works with the Melbourne office team in a customer relations role. She liaises directly with clients on training and advisory services and provides assistance to DCA consultants including management of appointments and coordination of training. Suzanne also assists in major projects, organising of diversity workshops, functions and briefings.

Consultants to DCA

Moira Rayner – Special Consultant

Moira Rayner is a senior and experienced lawyer, particularly in the area of managing workplace behaviours. She teaches in the postgraduate discrimination law course as a Senior Fellow at Melbourne University's Law School. Her postgraduate qualifications in public policy have been put to good use in several statutory offices.

Moira Rayner is best known in Victoria as its last Commissioner for Equal Opportunity. She has also been the Acting Deputy Director (Research) of the Australian Institute of Family Studies; a Hearings Commissioner of the Human Rights and Equal Opportunity Commission, and a full-time consultant in the national law firm Dunhill Madden Butler (now Deacons) for more than six years,

when she helped establish the firm's Discrimination Law Practice, and worked with major employers, universities and government departments. In 2000 she became the first Director of the Office of Children's Rights Commissioner for London, which modeled effective children's participation in government and is now an integral part of the Greater London Authority, London's new regional government. She has co-authored several books on governance, human rights, government policy and women and power.

Jill Sears – Senior Consultant

Jill Sears has been working in the field of human resources and diversity for more than 10 years. Her passion is diversity and her particular areas of interest are employment issues relating to people with a disability, flexibility and gender.

Jill's achievements in the area of design and delivery of HR programs resulted in her being awarded the Excellence and Leadership Award for an individual. Jill has also managed the implementation of a number of programs including a disability employment program that was awarded the Prime Minister's Award in 2003.

Jill works with organisations to improve diversity and equity outcomes through research, training and investigations.

Jill was also President of the Equal Employment Opportunity Network for Victoria.

Sonja Terpstra – Senior Consultant

Sonja Terpstra joins DCA with 15 years' experience in all aspects of workplace relations. This includes investigation and resolution of workplace disputes and as well as coaching to help people develop the necessary skills to resolve conflict.

She was previously with the NSW Working Women's Centre, she was a mediator on the AIRC Workplace Relations pilot, and a Contract Educator at the AMWU. She has extensive experience in investigation and advocacy of workplace disputes and was an industrial relations advocate for various employers.

A lawyer and mediator, she is currently completing a Masters of Conflict Resolution at Latrobe University.

BOARD OF DIRECTORS

DCA has a governance Board of Directors with extensive experience in the fields of business, HR, law, management and accounting. In addition to the CEO Nareen Young, our Directors are:

Mark Ney APM

Acting Chairperson

Mark Ney was an Assistant Commissioner for the Australian Federal Police. He joined the AFP in February 1984 and has a broad operational police background developed whilst working in general duties, Surveillance, the Australian Securities Commission, the Criminal Investigations Branch, the Drug Squad and the Bureau of Criminal Intelligence.

In January 2002, he was promoted to the rank of Assistant Commissioner, and was appointed to the position of General Manager, Northern Operations. In May of 2003, Mark was transferred to the position of National Manager for Human Resources, based in Canberra.

In November 2006 Mark took over the role of National Manager, Protection. This Portfolio includes protection of National Infrastructure and key Commonwealth Establishments. This includes the Close Personal Protection of members of government, high office holders, diplomats and dignitaries. The protection portfolio also provides the capacity for the Australian National Witness Protection Program.

Mark was recognised for his service to policing in the 2006 Australia Day Honours List. He was awarded the Australian Police Medal for distinguished service, particularly in the field of furthering law enforcement relationships both nationally, internationally and the indigenous community.

Qualifications

- Graduate Certificate of Business (Banking) from Monash University
- Graduate Certificate in Police Management from Charles Sturt University.

Mark resigned from the DCA Board in December 2008.

Kathleen Bailey-Lord

Non-executive Director

Kathleen Bailey-Lord is Group General Manager, Shared Services at ANZ and is responsible for leading its global Shared Services function to deliver standardised professional services through global end-to-end processes in HR, finance and sourcing.

Joining ANZ on 1 September 2008, Kathleen's experience ranges from Chief Executive Officer, Fordham Group - an accounting, tax and funds management group; Managing Director Media Solutions, PMP Limited; Marketing Director at law firm, DLA - Phillips Fox and General Manager, Distribution Channels at IBM.

Kathleen has a passion for creating healthy and successful businesses in which the customers are delighted and the people thrive. Her interest in healthy work cultures led to her role as Non-executive Director of DCA.

Kathleen holds a BA (Hons) and has lectured in strategy, marketing and the management of professional services firms at Melbourne University's Mt Eliza and Carlton campuses. She maintains her interest in higher education through her role as Non-Executive Director of Trinity College at the University of Melbourne.

As a mother of two children, Kathleen is always looking for ideas to improve her work/life balance.

Qualifications

- BA (Hons) in Political Science and History from the University of Melbourne
- Graduate of the Australian Institute of Company Directors.

Elaine Connor

Non-executive Director and Company Secretary

With dual qualifications in law and psychology, Elaine Connor has had a varied and dynamic career. Currently working for a boutique executive search firm, with a particular focus on women, Elaine was previously the General Manager,

Corporate Services for Veda Advantage Limited. She has held a number of senior legal positions in a range of industry sectors, including FMCG, resources and property. Elaine's earlier roles include Tribunal Member of the NSW Guardianship Tribunal; guardian/advocate at the Victorian Office of the Public Advocate; Director of Work-Link Employment Training Centre; and psychologist at the Dandenong Psychiatric Centre.

Qualifications

- Bachelor of Arts (Honours Psychology), University of Melbourne
- Master of Psychology (Clinical), La Trobe University
- Bachelor of Laws (Honours), Monash University
- Member, Australian Institute of Company Directors and Law Society of NSW.

Katy McDonald

Non-executive Director

Katy McDonald is a Programme Director People Transformation for Westpac. Katy graduated in Law (University of Sydney) and Arts (University of Melbourne) in 1989. Her role prior to this was Head of Employee Relations Policy and Diversity. She developed an interest in human rights law and employee relations while working in the Federal Court of Australia and for the President of the Human Rights and Equal Opportunity Commission.

Katy worked in private practice in a medium and then a large law firm in Sydney where she practised in commercial litigation and then employment law. She became the Director of Equal Opportunity at the University of Sydney in 1996.

Katy joined Westpac in 1999 where she spent five years heading up Employment Relations Legal.

Katy joined DCA's board in December 2008.

Robert Orth

Non-executive Director

Robert Orth joined DCA's Board in 2006. He is the Director of Human Resources for IBM Australia/New Zealand. In this position he is responsible for the Human Resources functions across the business including: learning, professional and management development, leadership development, organisational culture and change, performance management, compensation

and benefits, occupational health and safety, diversity, workforce management, recruiting, employee relations and industrial relations.

During his tenure, as A/NZ Human Resources Director, IBM Australia has been recognised for its leadership in diversity and corporate social responsibility including awards for: the First Prime Minister Employer of the Year Award; ACCI Gold National Work and Family Award; Government Award for Employer Champion for Mature Age Workers; EOWA Employer of Choice for Women – for seven years; 'Gold' rating in the Corporate Responsibility Index.

Over the past 26 years he has held various management positions in IBM; 16 years of these in line management positions in Sales and Marketing. Prior to joining IBM, he was a serving officer (Flight Lieutenant) in the Royal Australian Air Force.

He holds a number of other Board directorships and he is a Fellow of the Australian Human Resources Institute.

Qualifications

- Bachelor of Science Degree, University of Sydney.
- Diploma of Education, University of Sydney.

Graeme Russell

Non-executive Director

Graeme Russell joined the Board in 2006. He is a partner in Aequus Partners, and was previously an Associate Professor in Psychology at Macquarie University. He is an internationally renowned researcher and industry consultant on diversity, flexibility, organisational change and work/life – especially from the perspective of fathers, industry-based work and life strategies (including the impact that work/life conflict has on work performance and personal wellbeing).

Graeme is the author or co-author of four books and over 50 research papers on gender, diversity and work/life issues. He has consulted in a range of organisations in Australia and overseas, including ANZ, NAB, Westpac, AMP, Caltex, IAG, Alcoa, Ampol, Australia Post, Esso, Yellow Pages, Nestlé, Coles Myer and Shell International.

Jodi Swinburne

Non-executive Director

Jodi Swinburne joined the DCA Board in 2006. She is National Finance Manager for Stockland. She was formerly the General Manager, Finance for Australian Pharmaceutical Industries. Jodi joined API in August 2006 during a period of significant organisational upheaval. Prior to this latest challenge Jodi has worked for PMP, AMP and Reuters (London and Singapore) in senior finance roles. Jodi chairs the DCA Board's Audit and Compliance Committee.

Qualifications

- Bachelor of Commerce
- Australian CPA.

Katriina Tahka

Non-executive Director

Katriina Tahka is Head of Talent and Diversity in the Talent and Diversity Team at AMP Limited. Katriina is responsible for ensuring that AMP is able to attract and retain the talent that it needs to achieve its business strategy, both now and in the future. A key aspect of this is building and maintaining a sustainable pipeline of talented employees and future leaders, including people from a diverse range of backgrounds and experiences.

Katriina has a legal background and many years experience providing strategic advice to major corporate clients, as well as individuals, on all aspects of employment law and workplace relations with a particular focus on EEO and anti-discrimination issues. Katriina is able to draw on her legal, corporate and industry knowledge and experience to find commercially sound, win-win solutions to complex workplace problems.

Katriina has three young children and works flexibly, as do all the members of the AMP Workforce Management team.

Katriina joined DCA's board in December 2008.

BOARD OF ADVISORS

DCA has a Board of Advisors made up of leading practitioners with extensive experience in the fields of diversity and human resources. This board provides DCA with valuable advice on current and future business diversity needs. Our Advisory Board members are:

- Annie Tennant, Lend Lease
- Chrissie Tucker, ABC
- David McKinnon, Orica
- Dawn Hough, ING
- Dianne Banks, Gilbert + Tobin
- Emma Spiers, Ernst & Young
- Jacqui Abbott, Allens Arthur Robinson
- Jane Thomas, AGL
- Kate Bury, Shell
- Kate Cato, Blake Dawson
- Kathryn Allen, McDonald's
- Katriina Tahka (Co-Convenor), AMP Limited
- Louise Roche, Stockland
- Marcus Wearne, Australian Tax Office
- Nicole Fenech, IBM
- Niki Kesoglou, Credit Suisse
- Rhonda Earel, Cancer Council Queensland
- Robyn Worthington, Goldman Sachs JBWere
- Ross Wheatley, Boral
- Shane Bradshaw (Co-Convenor), News Digital Media
- Tracey Luscombe, Tabcorp
- Troy Roderick, Telstra
- Willem Pruys, Bunnings
- Wilma Stevens, KPMG.