



## President's statement

### Gender pay equity research — Stage 2 research to be conducted

Justice Hatcher, President

Sydney, 5 December 2023

[1] On 15 November 2023, I issued a Statement announcing the publication of a report produced by the UNSW Social Policy Research Centre titled *Gender-based Occupational Segregation: A National Data Profile* (the Stage 1 Report).

[2] As I identified in my statement of 15 November, the Stage 1 Report suggests that there are 13 modern awards used to set pay in the 29 large, highly feminised occupations that were identified within feminised industries. The relevant awards are (with the highly feminised occupations in brackets):

- *Nurses Award 2020* (Midwives, Registered Nurses, Enrolled and Mothercraft Nurses, Nurse Managers)
- *Educational Services (Teachers) Award 2020* (Early Childhood (Pre-Primary School) Teachers; Primary School Teachers)
- *Children's Services Award 2010* (Child Carers)
- *Health Professionals and Support Services Award 2020* (Dental Assistants, Receptionists in Hospitals and General Practice, Medical Technicians, Psychologists)
- *Educational Services (Schools) General Staff Award 2020* (Education Aides)
- *Hair and Beauty Industry Award 2020* (Hairdressers and Beauty Therapists)
- *General Retail Industry Award 2020* (Clothing Retail Sales Assistants and Retail Managers)
- *Aged Care Award 2010* (Nursing Support and Personal Care Workers; Aged and Disabled Carers)
- *Social, Community, Home Care and Disability Services Industry Award 2010* (Aged and Disabled Carers)
- *Pharmacy Industry Award 2020* (Pharmacy Sales Assistants)
- *Legal Services Award 2020* (Conveyancers and Legal Executives)
- *Animal Care and Veterinary Services Award 2020* (Veterinary Nurses)
- *Aboriginal and Torres Strait Islander Health Workers and Practitioners and Aboriginal Community Controlled Health Award 2020* (Dental Assistants).

[3] Stage 2 of the Commission's research project will examine each of the awards identified above (except the *Aged Care Award 2010*, which is currently the subject of separate work value proceedings).

[4] Staff of the Commission will produce a report which identifies the history of wage fixing and work value assessments in each of the 12 awards in order to aid the identification of any indicia of gender undervaluation. These indicia might include the lack of a work value exercise undertaken by the Commission, inadequate application of equal pay principles and the making of consent awards and agreements.

[5] The Stage 2 report will examine the history of these awards to determine whether the Commission (or its predecessors, or, where relevant, State tribunals) has ever undertaken a comprehensive work value assessment of classifications within the awards. The award histories are expected to cover:

- any 4 yearly review or other post-award modernisation matters considering wages;
- the award modernisation process;
- the development of pre-modern federal awards; and
- the development of any state-based awards where relevant.

[6] The Stage 2 report will be published in April 2024, and parties will be able to make submissions about it and the Stage 1 Report as part of the Annual Wage Review 2023-24 submission process.

## **PRESIDENT**