

Women, Gender Equality and Unions

Introduction

1. Congress recognises that gender equality as referred to in this policy means substantive gender equality (encompassing both equality and equity). Substantive gender equality means that people have equal rights, opportunities and ultimately, outcomes. The achievement of substantive gender equality requires redressing historic and ongoing disadvantage, and the transformation of current conditions (for example, through different and more favourable treatment) to create a gender equal society.
2. Congress recognises that women as referred to in this policy includes all women, and all those who experience or have experienced oppression as women, including non-binary and gender non-conforming people.
3. Intersecting structures and systems of privilege and oppression mean that women with the least power and access to resources bear the greatest consequences of gender inequity. Aboriginal and Torres Strait Islander women, culturally and racially diverse women including women of colour, LGBTQIA+ women, migrant women, women with disability, older women, and/or those living outside metropolitan regions are subject to compounding discrimination in the community and in the workplace. Gender inequity can never be separated from these other injustices.
4. Congress recognises the significant opportunities that recent law reforms relating to gender equality present. Congress commits to using these new laws to organise, retain, advocate and win outcomes for women members, and to having gender equality considerations factor into everything it does.

Advancing the representation and participation of women in unions

5. Congress is committed to ensuring that women have strong and effective union representation in their workplace and in their union structures.
6. Congress commits to the 50-50 representation of women in all elected positions at the ACTU and commits to ensuring elected positions in unions at least reflect the percentage of women members in each union. Congress is committed to encouraging and supporting women of diverse backgrounds to step up into elected positions. Congress notes that women now comprise half of the paid workforce and more than half of total union membership. The capacity of the union movement to represent and organise women depends on the movement's ability to reflect views and address issues that are particularly relevant to women. In order to achieve this, women members must be able to fully participate in all levels of union decision making processes and structures.
7. Congress commits all unions, TLCs and the ACTU to implement the 2015 Women in Unions Report Recommendations where appropriate, and further encourages all unions to use the Report's recommendations as a basis to review their activities regarding women, including how they attract, retain and develop women members, delegates, employees, elected officials and leaders.
8. Congress notes the Report recommendations that unions must assist women to continue to grow within the union movement by ensuring their industrial needs are adequately represented in the union's bargaining, campaigning and industrial agendas and by removing the barriers women face in accessing senior and elected roles within their union.
9. Removing these barriers will improve the union's ability to attract the best possible leadership talent and tap into the growth potential of organising women workers.

10. Congress affirms its resolution to:
 - a. fund and participate in a women's survey with a formal report and recommendations to be prepared every 3 years before each ACTU Congress;
 - b. Provide for regular reporting of survey results and measures to address its findings as part of the formal ACTU Congress and ACTU Executive agenda; and
 - c. Acknowledge that the accuracy of the survey results depends on full participation by all unions, and strongly encouraging all unions to continue to complete the survey.
11. The ACTU will coordinate, support and assist unions regarding implementation of the Recommendations.
12. Congress is committed to encouraging all unions, TLCs and the ACTU to apply a gender lens to all union work, including industrial, bargaining, health and safety, and campaigning.
13. Congress reflects on and reiterates the recommendations from the Women in Unions report 2015, and the need to continue to work towards full and proper implementation of these recommendations in 2024-2027.
14. Congress notes that the survey is the way in which progress in implementing the recommendations is measured, and the importance of participation in the survey process.
15. Further, Congress strongly encourages all unions, regardless of size, to report to WGEA on all gender equality indicators (GEIs).

Women's participation in union structures

16. Congress will encourage and assist women unionists (including members, delegates, HSRs and employees) to participate in union structures by:
 - a. Setting appropriate goals, actions, resources and timeframes to increase women's active participation in the union, including the use of quotas and other affirmative action measures;
 - b. Ensuring women members have influence in setting union agendas, priorities and campaign activities and their issues addressed, when developing union industrial priorities and growth campaigns;
 - c. Removing barriers which discourage the participation of women in union activities by taking into consideration the availability of employees, delegates, HSRs and members with family/caring responsibilities;
 - d. Creating inclusive and respectful cultures, spaces and workplaces for employees, delegates, HSRs and members that support diversity and seek to overcome the intersecting structures and systems of inequity;
 - e. Identifying and sponsoring women delegates and HSRs to move into roles including elected positions;
 - f. Encouraging and supporting women to take on more senior roles within their union;
 - g. Ensuring women employees are afforded equal opportunities to access career development and progression such as acting in higher duties, promotions and governance and representative positions;
 - h. Developing and implementing entitlements and policies for union employees including the equal right for all employees to gender neutral paid parental leave that incentivises fathers and partners to take leave and provides for periods of solo care by fathers and partners; to part time work and job sharing arrangements; to flexible work arrangements; and to the right to revert to full time hours after working part time due to caring and cultural responsibilities. Congress acknowledges that every job, including senior and leadership roles, should have the capacity for flexibility;

- i. Developing and implementing strategies, risk management processes, policies and procedures to prevent and address gender-based violence, including sexual harassment, family and domestic violence, bullying and discrimination. Congress recognises the importance of compliance with the positive duties in anti-discrimination and WHS legislation, and that compliance involves many different elements, including an effective and transparent complaints process, and mandatory training for all officials and union employees regarding union policies and procedures. Congress notes the Respect@Work Recommendations regarding the misuse of non-disclosure agreements and calls on unions and employers to take positive steps to end their misuse in cases of workplace sexual harassment;
- j. Developing and implementing strategies, policies and procedures that address the gender pay gap, such as gender pay gap analyses and gender pay equity policies and structures. These should give consideration to the impact of intersectionality, so that the outcomes for all women are understood and considered;
- k. Developing and implementing other entitlements, policies and working conditions that facilitate women's full economic participation and gender equality, such as paid family and domestic violence leave and support, paid lactation breaks and facilities, and support for reproductive health and wellbeing (such as leave and workplace adjustments);
- l. Ensuring women are represented in Committees of Management, Executives, Councils, Conferences, Congresses, and other high-level union committees;
- m. Ensuring there is a union official(s) who has responsibility in the union for women's issues and reports at each union governing body;
- n. Establishing a women's committee and a regular women's conference within the union where appropriate; and
- o. Regular monitoring and reporting to union governing bodies on the representation of women at all levels within the union with consideration for women from diverse backgrounds and with intersecting identities. In addition to this, unions should obtain regular qualitative feedback from women staff, executive members, council members, delegates and members about the union culture, issues and challenges they face. This must be done safely and in a deidentified way.

Peak council leadership and representation of women

17. Congress will ensure peak council leadership and representation of women by:
- a. Ensuring women member's issues are meaningfully addressed in industrial, growth and campaign priorities, actions and resources set at Union, TLC, ACTU Executive and Congress level;
 - b. Ensuring all unions above 8000 members have a representative on the ACTU Women's Committee and integrating the work of the Committee into other recognised priorities of the ACTU, including in education, industrial and campaigns;
 - c. Funding and participating in the ACTU Women in Unions survey where a formal report and recommendations to be prepared every 3 years before each ACTU Congress, with the findings to be reported as part of the formal Congress Agenda;
 - d. Ensuring that women are equally represented at ACTU Congress and ensuring women's issues are addressed in each item at Congress;
 - e. Continuing to promote and support the Women in Male Dominated Occupations and Industries (WIMDOI) network by encouraging members to attend and actively participate in the biennial conferences; and
 - f. Holding an ACTU Women's Conference every 3 years in the lead up to ACTU Congress, with TLCs strongly encouraged to run their own Women's Conferences in the lead up to the ACTU Women's Conference.

Bargaining and industrial agenda

18. Congress recognises that achieving gender equality is good for everyone – women, men, employers, business, society, and the economy. Women’s issues, and achieving gender equality, are relevant to all members, are everybody’s business, and are central to the bargaining and industrial agenda of unions.
19. Congress will ensure gender equality issues are included in the bargaining and industrial agenda by:
 - a. Developing bargaining claims that address the concerns of women members and achieve gender equality outcomes;
 - b. Bargaining for appropriate facilities and conditions for women workers in male dominated workplaces, and removing barriers which discourage women’s participation;
 - c. Ensuring women representatives are on all bargaining committees where there are women members; and
 - d. Implementing a bargaining checklist to ensure that women’s claims are central and review achievement of women member’s bargaining priorities by talking to women members.
20. Congress acknowledges the significant gains made in recent law reform relating to gender equality, and commits to building on those gains by bargaining for additional entitlements that facilitate women’s full economic participation and achieve gender equality, such as:
 - a. Strong flexible working arrangements with a right to revert to previous hours after a period of reduced hours;
 - b. Models of secure employment, roster justice, and security and predictability of hours;
 - c. 52 weeks of gender neutral paid parental leave;
 - d. Gender pay equity and addressing gender based undervaluation and gender pay gaps;
 - e. Measures to address gender based violence, including family and domestic violence, sexual harassment, discrimination and bullying;
 - f. Measures to assist workers returning to work from parental leave (such as paid lactation breaks and facilities);
 - g. Special measures to achieve substantive equality; and
 - h. Reproductive health and wellbeing, including leave and workplace adjustments.

Campaigns

21. Congress recognises that women make up 54% of trade union membership. Despite overall union membership decline, more women than men are joining unions. Recognition of the importance of women to the effectiveness and power of the union movement has in many cases produced an unprecedented commitment to equality and inclusion at the highest level. Yet the challenge is to ensure that this commitment is translated to action and resourcing, and that it improves the experience of women in their union and in their workplace.
22. Congress acknowledges that significantly more work needs to be done. Gender equality can no longer be seen as something additional – rather it is central to the work that unions do. The issues that matter to working women have always and will continue to present significant organising opportunities. Women members are where a lot of potential for growth lies for unions, and this requires unions to invest in women.
23. Congress commits to advancing gender equality and representing the concerns and issues of women members in setting union agendas and industrial, campaign and growth priorities.

Programs and resources

24. Continuing improving and extending the Anna Stewart memorial project by developing a comprehensive, structured curriculum and mentoring program for women union activists.
25. Develop materials and resources and publicise union actions that are reflective of and celebrate the diversity of the membership, and which showcase women unionists to provide role models of active women in the union.
26. Develop materials, resources, plans and strategies focused on how to achieve gender equality and enforcing the rights of members.
27. Ensure union and ACTU training of members, activists delegates and HSRs includes gender equality issues and union policies.