



Australian Government
**Equal Opportunity for
Women in the Workplace Agency**

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LA TROBE UNIVERSITY
EQUAL OPPORTUNITY FOR WOMEN IN THE WORKPLACE PLAN
2006 - 2009

**Equity and Access Unit
La Trobe University
August 2006**



Organisation Name: La Trobe University

Industry/Industry Code: Higher Education

(Below, please insert background details of organisation and current issues impacting on its performance)

La Trobe University has complied with the *Equal Opportunity for Women in the Workplace Act* for at least 3 consecutive years and has been waived from reporting in previous years. La Trobe University has received the citation of Employer of Choice for Women annually since the inception of the citation in 2001.

La Trobe University is a large higher education institution with a major metropolitan campus and five regional campuses. The workforce has a higher representation of women than men but women remain underrepresented at senior levels.

Consultation

La Trobe University is committed to providing equal opportunity for women in the workplace and providing an environment free from discrimination. The key goals for the University in terms of equal opportunity for women in the workplace are informed by:

- La Trobe University Strategic Plan
- Issues raised at and matters brought to the attention of the University Equal Opportunity Committee
- Issues raised at the Equity Staff Development Program
- Issues raised at the La Trobe University Women's Network
- Issues raised at the La Trobe University Senior Women's Network
- Issues raised at Faculty Equal Opportunity and Equity Committees
- Issues brought forward to the Equity and Access Unit and/or Human Resources.
- Enterprise Bargaining Agreement negotiations
- La Trobe University project *Longitudinal Study - Gender Factors and Promotion* (in progress)
- General Staff Development Committee (operational from 2005)
- Australian Vice-Chancellors Consultative Committee Action Plan for Women in Universities 2006 to 2010.

Organisational Change

During 2006 the University is undergoing a period of significant organisational change. These changes are in terms of:

- the senior management structure of the University;
- the impact of the Federal government's Higher Education Workplace Reforms.

To date, there have been some very positive outcomes as a result of the senior management structural changes which include:

- the Senior Management Group (Vice Chancellor, Vice Principal (Resources and Administration), Pro Vice-Chancellors and Deans) meet on a 3 weekly basis;
- four females in positions of Pro Vice-Chancellor;
- one female in position of Dean of Faculty;
- increased communication with all staff via the Vice-Chancellor's weekly email bulletin on University developments and activities; and
- as part of the Strategic Plan Review process, a diverse range of non-senior staff were invited to attend a two day Strategic Planning Workshop to brainstorm and present their views on the current issues and future strategic direction of the University.

Key Achievements

Since last reporting, the following highlights are particularly pleasing and are detailed in the University's Outcomes report:

- substantial reduction in enquiries and complaints of harassment and discrimination from 2004-2005;
- increased utilisation of part time work options;
- excellent resumption rate from maternity leave;
- excellent success rate of academic women applying for promotion;
- proportion of senior female staff at La Trobe increased for the third consecutive year in 2005, from 37% to 37.5%;
- Enterprise Bargaining Agreement (EBA) providing enhanced parental leave provisions and further flexible work options.

Key Priorities 2006-2009

The two key priorities in terms of the La Trobe University Equal Opportunity for Women in the Workplace Plan 2006-2009 are:

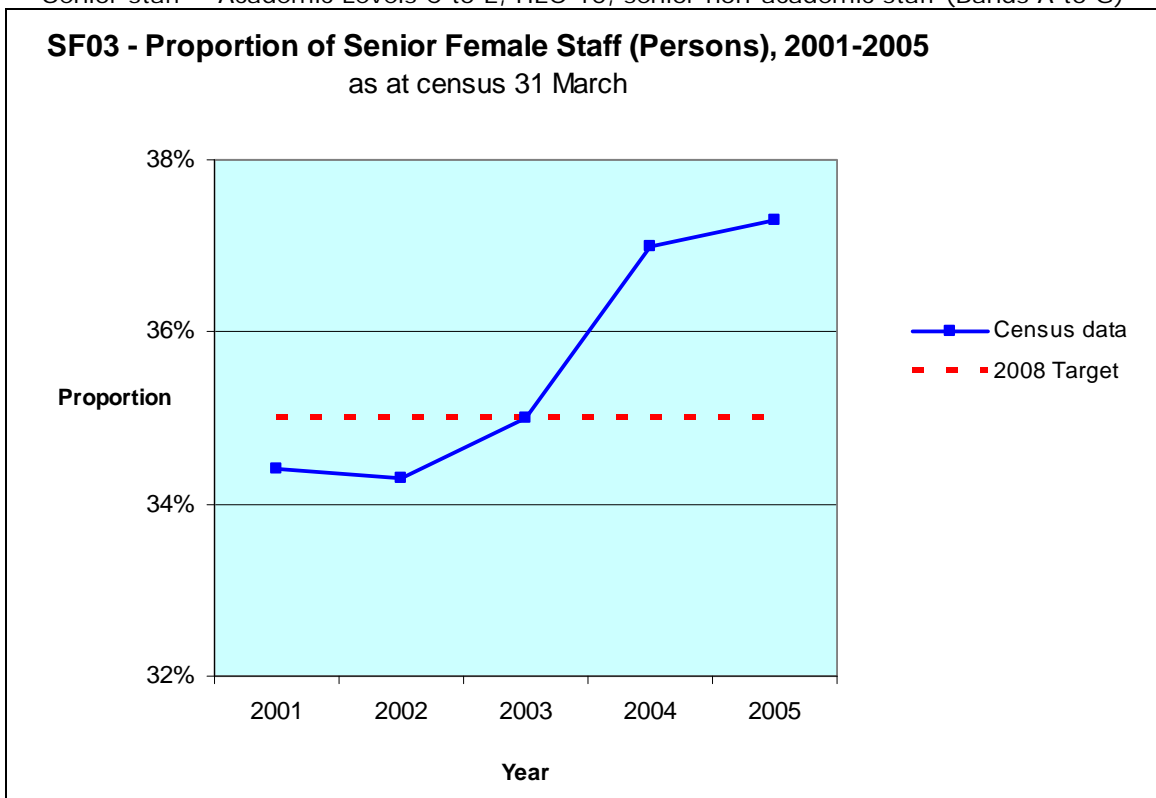
1. Finalise the *Longitudinal Study – Gender Factors and Promotion*. This project will be completed by late 2006.
2. Implementation of the *Equity Staff Development Program (ESDP) Mandatory Attendance Policy*, approved by University Council in October 2005. This initiative is relevant to all seven employment categories in terms of training staff in non-discriminatory work practices

This Policy is detailed in attachment 1.

1. WORKPLACE PROFILE

- Enter data on the composition of your workforce.
- Your workplace profile data should be no earlier than six months prior to when you submit this application
- Please insert your Workplace Profile below from:
 1. our industry-relevant
 2. from your own table or spreadsheet
- Please note: if this application does not lead to a waiver from the Act and therefore becomes a public Compliance Report, confidential salary information will be removed from the public document.

Senior staff = Academic Levels C to E, HEO 10, senior non-academic staff (Bands A to G)



Proportion of senior female staff increased for the third consecutive year in 2005, from 37% to 37.5% of all senior staff.

General staff by tenure and sex

as at census 31 March 2006

			Female		Male		Total	
Tenure	Full-time		513	58%	368	42%	881	100%
	Part-time		505	84%	98	16%	603	100%
	<i>Sub-total, tenure</i>		<i>1018</i>	<i>69%</i>	<i>466</i>	<i>31%</i>	<i>1484</i>	<i>100%</i>
Contract	Full-time	less than 1 year	3	38%	5	63%	8	100%
		1 to less than 3 years	14	88%	2	13%	16	100%
		3 or more years	30	65%	16	35%	46	100%
	Part-time	less than 1 year	7	70%	3	30%	10	100%
		1 to less than 3 years	17	89%	2	11%	19	100%
		3 or more years	39	76%	12	24%	51	100%
<i>Sub-total, contract</i>		<i>110</i>	<i>73%</i>	<i>40</i>	<i>27%</i>	<i>150</i>	<i>100%</i>	
Casual		472	63%	274	37%	746	100%	
TOTAL			1600	67%	780	33%	2380	100%

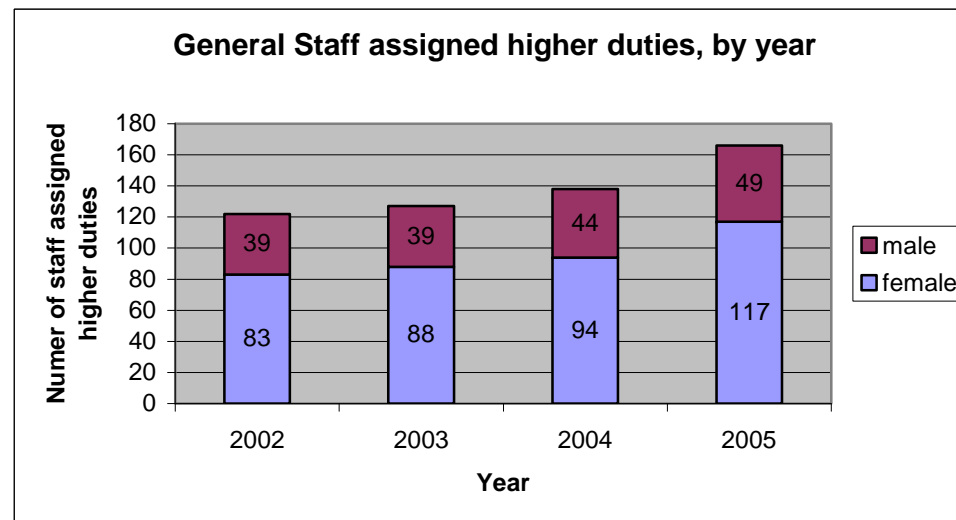
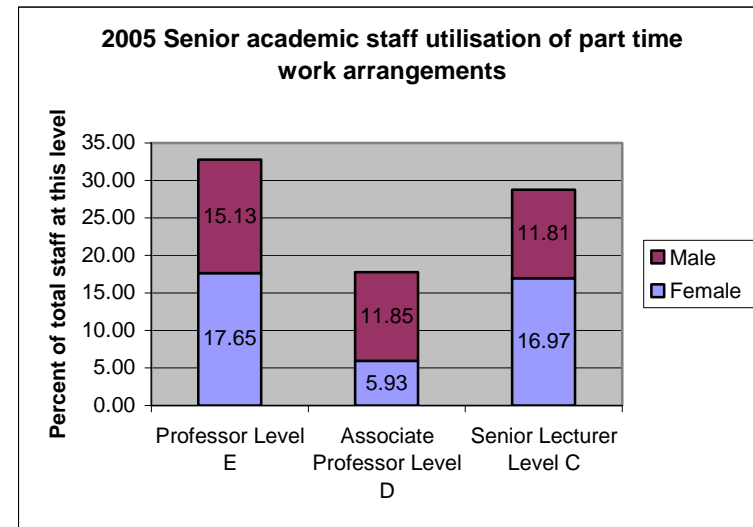
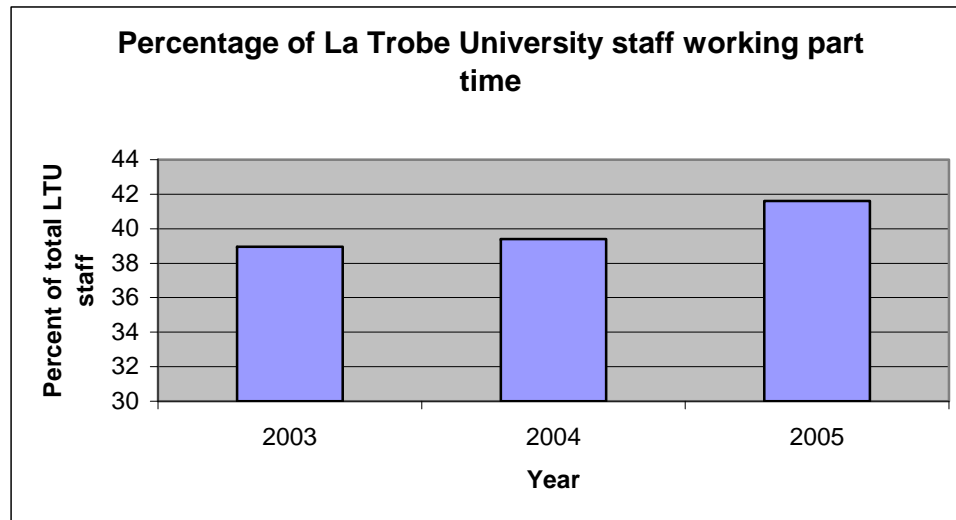
Academic staff by tenure and sex

as at census 31 March 2006

			Female		Male		Total	
Tenure	Full-time		180	34%	346	66%	526	100%
	Part-time		377	69%	168	31%	545	100%
	<i>Sub-total, tenure</i>		<i>557</i>	<i>52%</i>	<i>514</i>	<i>48%</i>	<i>1071</i>	<i>100%</i>
Contract	Full-time	less than 1 year	2	50%	2	50%	4	100%
		1 to less than 3 years	16	39%	25	61%	41	100%
		3 or more years	38	46%	45	54%	83	100%
Part-time	Part-time	less than 1 year	5	42%	7	58%	12	100%
		1 to less than 3 years	39	57%	29	43%	68	100%
		3 or more years	172	63%	102	37%	274	100%
	<i>Sub-total, contact</i>		<i>272</i>	<i>56%</i>	<i>210</i>	<i>44%</i>	<i>482</i>	<i>100%</i>
Casual			594	58%	426	42%	1020	100%
TOTAL			1423	55%	1150	45%	2573	100%

Staff FTE, as at census 31 March 2006

Work Contract	Academic			General			Total
	Female	Male	Sub-total	Female	Male	Sub-total	
Full-time	348.0	491.0	839.0	606.0	410.0	1016.0	1855.0
Part-time	157.6	76.3	233.9	238.2	33.4	271.6	505.5
Casual	179.5	133.0	312.4	119.1	73.2	192.3	504.7
Total	685.1	700.2	1385.3	963.3	516.6	1479.8	2865.1



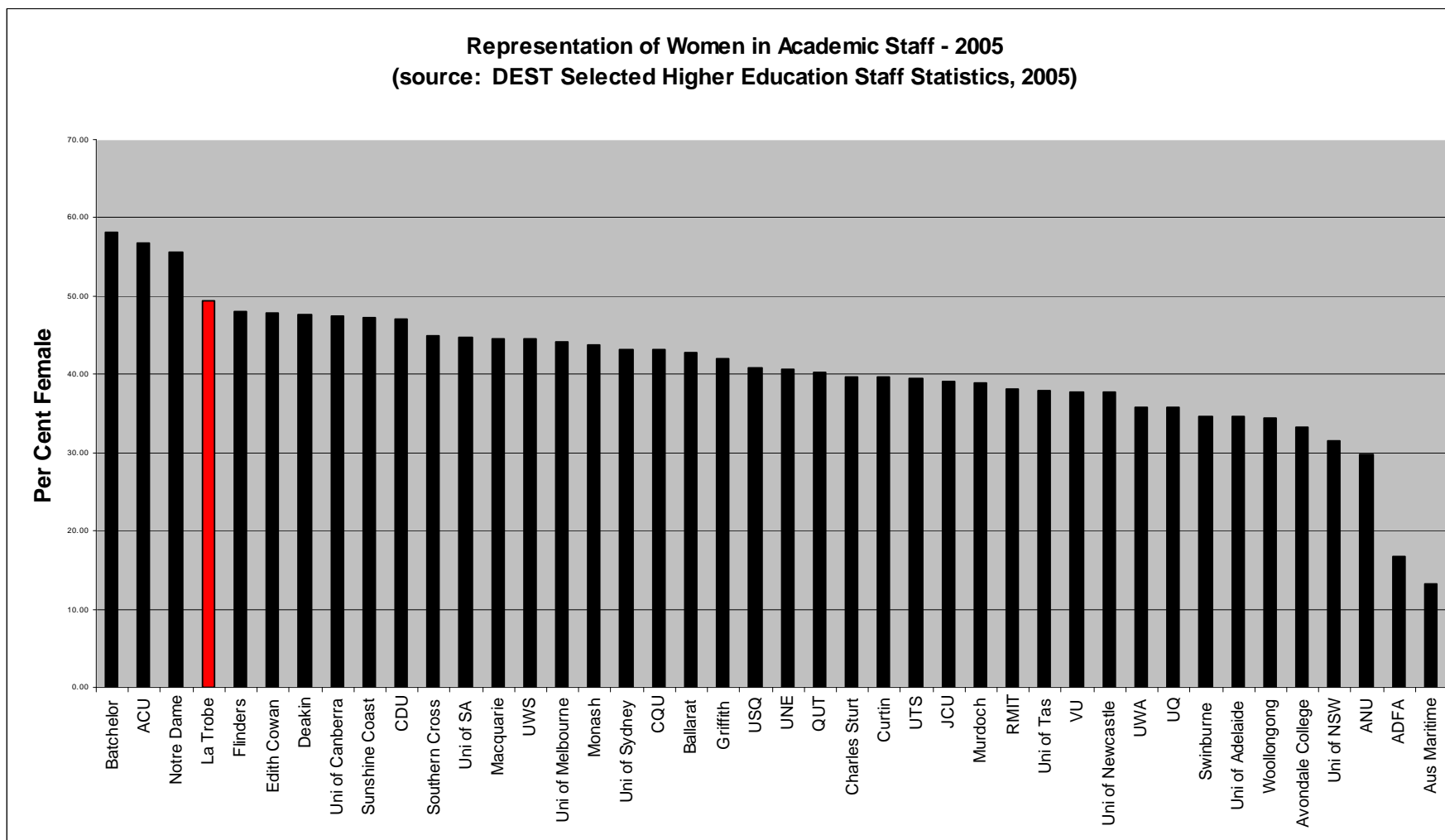
Academic staff (persons) by Level and Sex as at census 31 March 2006

Level	Male							Female							All Staff						
	Full-time		Part-time		Casual		All Males	Full-time		Part-time		Casual		All Females	Full-time		Part-time		Casual		Total
	Count	%	Count	%	Count	%		Count	%	Count	%	Count	%		Count	%	Count	%	Count	%	
Professor, Level E	61	45.19	24	17.78			85	20	14.81	30	22.22			50	81	60.00	54	40.00			135
Reader/Associate Professor, Level D	73	46.50	28	17.83			101	20	12.74	36	22.93			56	93	59.24	64	40.76			157
Senior Lecturer, Level C	104	33.33	59	18.91			163	56	17.95	93	29.81			149	160	51.28	152	48.72			312
Lecturer, Level B	121	17.26	115	16.41	45	6.42	281	97	13.84	275	39.23	48	6.85	420	218	31.10	390	55.63	93	13.27	701
Associate Lecturer, Level A	59	4.65	80	6.31	381	30.05	520	43	3.39	159	12.54	546	43.06	748	102	8.04	239	18.85	927	73.11	1268
Total	418	16.25	306	11.89	426	16.56	1150	236	9.17	593	23.05	594	23.09	1423	654	25.42	899	34.94	1020	39.64	2573

General staff (persons) by HEO Level and Sex as at census 31 March 2006

Level	Males							Females							All Staff						
	Full-time		Part-time		Casual		All Males	Full-time		Part-time		Casual		All Females	Full-time		Part-time		Casual		Total
	Count	%	Count	%	Count	%		Count	%	Count	%	Count	%		Count	%	Count	%	Count	%	
HEO1	3	15.00	1	5.00			4	3	15.00	13	65.00			16	6	30.00	14	70.00			20
HEO2	12	24.49	3	6.12			15	9	18.37	25	51.02			34	21	42.86	28	57.14			49
HEO3	27	19.42	3	2.16			30	47	33.81	62	44.60			109	74	53.24	65	46.76			139
HEO4	35	10.67	17	5.18			52	105	32.01	171	52.13			276	140	42.68	188	57.32			328
HEO5	54	15.74	15	4.37			69	142	41.40	132	38.48			274	196	57.14	147	42.86			343
HEO6	84	30.00	34	12.14			118	101	36.07	61	21.79			162	185	66.07	95	33.93			280
HEO7	70	32.26	15	6.91			85	68	31.34	64	29.49			132	138	63.59	79	36.41			217
HEO8	42	39.25	13	12.15			55	31	28.97	21	19.63			52	73	68.22	34	31.78			107
HEO9	23	29.87	6	7.79			29	36	46.75	12	15.58			48	59	76.62	18	23.38			77
HEO10 or higher	41	55.41	8	10.81			49	18	24.32	7	9.46			25	59	79.73	15	20.27			74
No Information					274	36.73	274					472	63.27	472					746	100.00	746
Total	391	16.43	115	4.83	274	11.51	780	560	23.53	568	23.87	472	19.83	1600	951	39.96	683	28.70	746	31.34	2380

For analysis of gender issues in relation to La Trobe's salary profile please see Employment Matter 5, Conditions of Service, below.



La Trobe University is a leader in the sector in terms of academic employment of women, exceeded only by Batchelor (Indigenous), ACU (Catholic) and Notre Dame (private) universities.

EMPLOYMENT MATTER 1- RECRUITMENT AND SELECTION

Please provide information on how you consulted with women and analysed the issues relating to this employment matter

- Reviewed workplace Profile for 2006 and comparative profiles for the previous 3 years

What did your analysis find?

- Our workforce has a higher representation of women than men but women are disproportionately employed in lower level positions. However, the representation of women in senior positions is increasing, and for academic staff, data shows that La Trobe University is already meeting the Australian Vice-Chancellors' Committee's national targets for 2010:

	2003 %	2004 %	2005 %	2006 %	National Average	AVCC target for 2010*
Senior Female Academic Staff						
Professor (Level E)	25	29	34	37	16	25
Associate Professor (Level D)	24	29	26	35.5	24	35
Senior Female General Staff						
HEO 10 and above	37	37	37	34	40	50

*Australian Vice-Chancellor's Committee (2006). The Second AVCC Action Plan for Women Employed in Australian Universities 2006-2010.

What were the issues identified from your analysis?	How did you action these issues and what has been the outcome?
<ul style="list-style-type: none">to attract more women applicants to senior positions	<p>(If action was not taken, please include clear reasons and business constraints which were used to determine that it was not reasonably practicable to action the issue)</p> <ul style="list-style-type: none">Implemented supplementary recruitment strategy (in addition to press, journal advertising, and executive searches): advertisements for senior positions are circulated to all Australian Higher Education Institutions via the Equal Opportunity Practitioners in Higher Education Network.Current policy - At least one member of each recruitment selection committee must have formal equal opportunity training and knowledge. As a result staff are familiar with non-discriminatory selection and recruitment procedures.It is University Policy that both genders should be represented on all University committees including selection committees.Job advertisements state that 'La Trobe University is an Equal Opportunity Employer'.Implementation of the mandatory Equity Staff Development Program Policy will ensure that all members of selection committees are conversant with non-discriminatory selection and recruitment procedures.Information and training sessions for academic staff wishing to apply for promotion.Training for academic staff in developing their teaching portfolio, an important component of academic promotion.In the "Procedures for Shortlisting Meeting" document provided to members of selection committees the following points are included:<ul style="list-style-type: none">review the gender balance of applicants and if female applicants are under-represented (given the potential female applicant pool) and the additional recruitment efforts were not undertaken or efforts were believed to be insufficient, the committee has the power to defer the selection process until efforts are made.Consider gender balance of shortlisted applicants and determine which action to take if one gender is not represented on the shortlist. One of the following steps should be taken:

Waiving Application

- (a) the best qualified applicant of the under-represented gender will be included on the shortlist; or
- (b) document the reasons for non-inclusion of one gender on the *Selection Committee Report*.

EMPLOYMENT MATTER 2 – PROMOTION, TRANSFER AND TERMINATION OF EMPLOYMENT

Please provide information on how you consulted with women and analysed the issues relating to this employment matter

- Annual analysis of academic promotion data, by gender, as part of comparative data collection for equal opportunity for women in the workplace at La Trobe University
- Discussions at Women's Networks both within and external to the University
- University Equal Opportunity Committee and Faculty Equal Opportunity Committees

What did your analysis find?

- Women do not apply for promotion in the same numbers as men
- When women do apply, however, they enjoy an extremely high success rate:
 - 100% success rate of women applying from Senior Lecturer to Associate Professor/Reader/Principal Research Fellow in 2005
 - 100% success rate of women applying from Associate Lecturer to Lecturer in 2005
 - 90% success rate of women applying from Lecturer/Research Fellow to Senior Lecturer/Senior Research Fellow in 2005
- No data collection available on reclassification of general staff positions
- Revised Human Resources 'Exit Survey' instrument in the final stages of development.

What were the issues identified from your analysis?

- Academic women to be encouraged to apply for promotion
- We expect the Longitudinal Study to identify the impact of career interruptions as barriers to promotion as an area for improvement.
- Need to examine why women leave the University
- No data collection for general staff reclassification rates

How did you action these issues and what has been the outcome?

(If action was not taken, please include clear reasons and business constraints which were used to determine that it was not reasonably practicable to action the issue)

- The project in progress *Longitudinal Study – Gender Factors and Promotion* examines women's barriers to promotion. This project is well underway and will be completed in late 2006. Outcomes from this analysis will further inform the University on this issue.
- Career interruptions impact is included in the candidate pro-forma application for promotion.
- Continue to conduct information sessions to assist academic staff applying for promotion, particularly for women in relation to career interruptions.
- Current policy – received knowledge through formal training or experience, and a demonstrated commitment to Equal Opportunity issues, are criteria for promotion and reclassification.
- Implementation of the mandatory Equity Staff Development Program Policy will ensure that all members of promotion committees are conversant with non-discriminatory selection/promotion procedures.
- Continue to provide informal mentoring via LTU Women's Networks.
- Commenced tracking reclassification rates, by gender, for general staff and will provide the data to the General Staff Development Committee
- The development of Exit Surveys is in progress. The University is in the process of purchasing survey management software and the development of any new surveys is on hold until this has been implemented, which will take place in 2006.

EMPLOYMENT MATTER 3- TRAINING AND DEVELOPMENT

Please provide information on how you consulted with women and analysed the issues relating to this employment matter

- Discussions at Women's Networks
- University Equal Opportunity Committee and Faculty Equity and Equal Opportunity Committees
- General Staff Development Committee
- Human Resources
- Matters raised at the Equity Staff Development Program

What did your analysis find?

- Women expressed an interest in Leadership programs
- Women expressed the need for Financial and Budgeting information to assist them moving to senior roles that require managerial responsibilities
- Interest in Mentoring Programs
- Performance appraisal schemes, namely the Performance Enhancement Development Scheme (PEDS) for academic staff and the Incremental Progression Performance Plan Scheme (IPPPS) for general staff, facilitate identification of individual training and skills development needs.
- Equity Staff Development Program (ESDP) - substantial increase in staff participation rates as follows:
Attendance at the ESDP has increased over the last three years.
Implementation of the ESDP mandatory Staff Attendance Policy over the next three years will facilitate further increased participation.

What were the issues identified from your analysis?	How did you action these issues and what has been the outcome? (If action was not taken, please include clear reasons and business constraints which were used to determine that it was not reasonably practicable to action the issue)
<ul style="list-style-type: none"> • Provide opportunities and career development programs for women in the university • Develop central recording system of professional development activities for each staff member 	<ul style="list-style-type: none"> • Establishment of the General Staff Development Committee in 2005. • Staff Development Charter approved by Council has the following guiding principles: <ul style="list-style-type: none"> ▪ Equal access ▪ Diversity ▪ Participation and ownership ▪ Mutual benefit ▪ Shared commitment ▪ Consistency with University ideals ▪ Cost effectiveness • As part of the General Staff Development Charter, a proposal has been put forward that each staff member is provided the opportunity to attend at least one professional development/training program every two years. • Develop a new system for electronically monitoring equity training of staff. • Continue to seek advice from staff on the types of staff development training that would assist their progression • Continue to conduct the annual LTU Financial Management and Budgeting Seminar. • Implementation of the <i>Mandatory ESDP Staff Attendance Policy</i>. • Continue to provide the availability of study leave for academic and general staff. • Continue to provide networking and informal mentoring opportunities via the LTU Women's Network and Senior Women's Network. • Continue to offer the Diploma in University Administration for general staff. A project to track the success of Diploma in University Administration graduates in terms of their career path has commenced and should be completed by December 2006.

Waiving Application

- The *Longitudinal Study –Gender Factors and Promotion* will further inform the University on women's training and development needs.

EMPLOYMENT MATTER 4- WORK ORGANISATION

Please provide information on how you consulted with women and analysed the issues relating to this employment matter

- Enterprise Bargaining Agreement negotiations
- Discussions at Women’s Networks
- University Equal Opportunity Committee and Faculty Equity and Equal Opportunity Committees
- Matters raised with the Equity and Access Unit and/or Human resources
- Matters raised at the Equity Staff Development Program
- Annual statistical analysis of comparative data over the past 3 years

What did your analysis find?

Increased utilisation of flexible work options

Women continue to identify their requirement for workplace flexibility. The statistical data below demonstrates such in terms of increased utilisation of flexible work options. Part time work options are utilised by staff at senior levels:

Staff utilisation of part time work hours in comparison with total University staff:

	Part time staff	Total staff	% working part time
2005	1206	2897	41.60%
2004	1107	2808	39.40%
2003	1070	2747	38.95%

2005 Senior General staff (HEO10 and above)

Equivalent numbers of both genders, 6 females and 6 males, working part time:

- 6 females - representing 8.57% of total staff at this level
- representing 20.7% of full time staff at this level

2005 Senior Academic staff:

Professor Level E	21 female	representing 17.65% of total staff at this level equivalent to 26.25% of the number of full time staff at this level
	18 male	representing 15.13% of total staff at this level equivalent to 22.50% of the number of full time staff at this level
Associate Professor Level D	8 female	representing 5.93% of total staff at this level equivalent to 7.20% of the number of full time staff at this level
	16 male	representing 11.85% of total staff at this level equivalent to 14.41% of the number of full time staff at this level
Senior Lecturer Level C	46 female	representing 16.97% of total staff at this level equivalent to 23.83% of the number of full time staff at this level
	32 male	representing 11.81% of total staff at this level equivalent to 16.58% of the number of full time staff at this level

Increased utilisation of 48/52 or similar arrangements

2005	19 Female	6 Male
2004	7 Female	5 Male
2003	10 Female	1 Male

More women than men occupy casual and fixed-term positions (particularly among general staff)

As at 31 March 2006, the gender profile of casual and fixed term occupants was:

Academic Staff	Contract/Fixed term:	56% female	44% male.
	Casual :	58% female	42% male.
General Staff	Contract/Fixed term:	73% female	27% male.
	Casual :	63% female	37% male.

What were the issues identified from your analysis?	How did you action these issues and what has been the outcome?															
<ul style="list-style-type: none"> • Continue to provide a range of flexible work options. • Support and promote activities and benefits of the LTU Women's Networks. • A number of casual and fixed-term staff would prefer more permanent employment. 	<p>(If action was not taken, please include clear reasons and business constraints which were used to determine that it was not reasonably practicable to action the issue)</p> <ul style="list-style-type: none"> • The Enterprise Bargaining Agreement 2004-2008 provides a greater scope for employees to address flexible needs in recognition that an important trend in employment is for workplace and organisational flexibility and to enable greater balance between work and family commitments. Individual employees may approach the University to structure working hours and leave arrangements in a manner which suits the needs of the employee and the organisational unit. Variations which may be made include: <ul style="list-style-type: none"> ▪ structuring a pattern of working hours to enable employees to work on a fractional basis for a portion of a year received a salary payments averaged across the whole year. ▪ working a 48/52 arrangement or alternative set of arrangements ▪ being able to work a pattern of hours which may fluctuate on a weekly basis, but have a reconciliation of leave entitlements once a year or twice a year ▪ seasonal or part year employment ▪ part time or fractional employment ▪ span of working hours for a 7 hour day from 7.30am to 7.30pm ▪ working from home ▪ parental leave (enhanced provisions) • Improved maternity leave retention rate: <table style="margin-left: 20px; border: none;"> <tr> <td style="padding-right: 10px;">2005</td> <td style="padding-right: 20px;">83.00%</td> <td>(3 Academic staff, 12 General staff)</td> </tr> <tr> <td>2004</td> <td>81.80%</td> <td>(19 Academic staff, 26 General staff)</td> </tr> <tr> <td>2003</td> <td>83.70%</td> <td>(13 Academic staff, 18 General staff)</td> </tr> <tr> <td>2002</td> <td>81.00%</td> <td></td> </tr> <tr> <td>2001</td> <td>70.00%</td> <td></td> </tr> </table> 	2005	83.00%	(3 Academic staff, 12 General staff)	2004	81.80%	(19 Academic staff, 26 General staff)	2003	83.70%	(13 Academic staff, 18 General staff)	2002	81.00%		2001	70.00%	
2005	83.00%	(3 Academic staff, 12 General staff)														
2004	81.80%	(19 Academic staff, 26 General staff)														
2003	83.70%	(13 Academic staff, 18 General staff)														
2002	81.00%															
2001	70.00%															

- The University continues to support the Women's Networks on both the Bundoora and Bendigo campuses. The Network holds an Annual Dinner and conducts lunchtime seminars on a range of topics that have included:

Career Mapping, Preparing Resumes and Job Applications, Muslim Awareness, Indigenous Art, Future of Higher Education, Cancer Information and Support services, Employee Assistance Program, Time Management, Healthy Working Women, Superannuation, Equal Opportunity for Women in the Workplace, Networking, Financial Planning, Relieving Stress and the Diploma of University Administration.

- Similarly, the Senior Women's Network, chaired by the Pro Vice-Chancellor (Equity and Student Services), is included in all activities of the Women's Network. Members of the Senior Women's Network identified that information around University budgeting and reporting is crucial when progressing to roles of Dean/Head of School/Managers. As a result, the University conducts a highly informative (from participant feedback) *Budgeting and Management Reporting Seminar* on an annual basis.
- A School Holiday Program is available at the University.
- A booklet titled Life Matters at Work was produced that details facilities, services, programs, superannuation and employment options available to assist staff balance both family and work commitments.
- The benefits of flexible employment options resulting in staff satisfaction and retention is highlighted at the Equity Staff Development Program face to face modules.
- Currently there is no Human Resources data reporting of job share arrangements.
- As part of the new EBA, subject to certain criteria, fixed term/contract employees may now apply for conversion to a continuing appointment. Similarly, casual employees may apply for conversion to a fixed term contract. This new process is beneficial for women employed on fixed term or casual contracts over a lengthy period of time, thus providing more job security.
- Monitor utilisation of flexible work options.

EMPLOYMENT MATTER 5- CONDITIONS OF SERVICE

Please provide information on how you consulted with women and analysed the issues relating to this employment matter

- Reviewed Workplace Profile
- Enterprise Bargaining Agreement negotiations
- Discussions at Women's Networks
- University Equal Opportunity Committee and Faculty Equity and Equal Opportunity Committees
- Matters raised with the Equity and Access Unit and/or Human Resources

What did your analysis find?

- General staff positions at the University are classified according to determined position classification standards, approved by the Classification Review Committee, designed to ensure consistency, transparency, and equity in this process. Women and men employed at the same level therefore receive equal pay and conditions.
- Similarly, for Academic staff, there are Position Classification Standards for each academic level. These Standards, combined with distinct Promotion Criteria, are designed to ensure consistency, transparency, and equity in decisions made by Promotions Committees. Again, women and men employed at the same level receive equal pay and conditions.
- Pay rates are determined by the University's Enterprise Bargaining Agreement, which applies equally to women and men.
- There remains a differential in men and women's average salary produced by women's under-representation at higher paid levels, as addressed above in Employment Matters 1 and 2.
- The Federal Government Higher Education Workplace Reforms allow for staff to elect to be employed under an Australian Workplace Agreement (AWA). To date, a minimal number of staff have selected this option. Nonetheless, monitoring of AWA's for inequitable practices is necessary.
- Staff utilise the benefits of the Employee Assistance Program, salary packaging options, on-campus child care and the LTU Group Health Care Plan.

- In addition to the above benefits, the University has policies, procedures, publications and conditions of service to assist staff that include: *Staff Induction Program; Equal Opportunity Policy; Children on Campus Policy; Work and Family Policy; Life Matters at Work booklet; Equal Opportunity for Women in the Workplace Plan; Sexual Harassment, Harassment and Discrimination Policy and Procedures (includes racial and religious vilification and email/internet); Advisers and Conciliators for Sexual Harassment, Harassment and Discrimination; Workplace Bullying Policy; Policy for People with Disabilities, Mental Health Issues and/or Ongoing Medical Conditions; Code of Conduct; Racial and Religious Tolerance (Vic EOC Employer Guidelines); Racial and Religious Tolerance Publicity Materials; Pregnancy Guidelines (from HREOC); Parents and Carers at Work (Vic EOC Employer Guidelines); LTU Indigenous Employment Strategy; Anti-Pornographic and Offensive Material Poster; Anti-Sexual Harassment and Discrimination Publicity Materials; Equity and Access Unit Brochure; Deaf Academic Services Brochure; Disability Support Services Brochure; Breastfeeding facilities; on-campus child care at Bundoora and Bendigo; Human Resources Manual.*

What were the issues identified from your analysis?

A need to monitor the impact of the Australian Workplace Agreements (AWA) to ensure equity for both women and men.

How did you action these issues and what has been the outcome?

(If action was not taken, please include clear reasons and business constraints which were used to determine that it was not reasonably practicable to action the issue)

- Prepare a recommendation to Human Resources for implementation of a tracking system for workplace AWA's to ensure that they are managed equitably between genders.
- Continue to provide the Employee Assistance Program, salary packaging options, on-campus child care and the LTU Group Health Care Plan.

EMPLOYMENT MATTER 6- SEX BASED HARASSMENT

Please provide information on how you consulted with women and analysed the issues relating to this employment matter

- Annual Analysis of comparative complaints data over the past 3 years
- Discussions at the Equity Staff Development Program
- Matters brought to the attention of the Equity and Access Unit and Human Resources
- Discussion at Women’s networks

University Equal Opportunity Committee and Faculty Equity and Equal Opportunity Committees

What did your analysis find?

- Substantial decrease in enquiries and complaints of sexual harassment, harassment and discrimination: Both enquiries (decrease of 55%) and written complaints (decrease of 39%) decreased substantially between 2004 and 2005 as follows:

2005		2004	
Enquiries	40	Enquiries	73
Written complaints	7	Written complaints	18

- Of these complaints and enquiries, those relating only to sexual harassment also decreased from 2004 to 2005

2005		2004	
Enquiries	12	Enquiries	14
Written complaints	2	Written complaints	7

What were the issues identified from your analysis?

- Many of the enquiries logged did not relate to existing complaints, but rather were from managers/supervisors

How did you action these issues and what has been the outcome?

(If action was not taken, please include clear reasons and business constraints which were used to determine that it was not reasonably practicable to action the issue)

requesting clarification of policy with a view to ensuring compliance and preventing future complaints. Such queries indicate a level of awareness among staff of discrimination issues, facilitated by staff attendance at the Equity Staff Development Program (ESDP).

- The University has moved to a computerised payslip system. As such many staff may not read/access resulting in anti-discrimination payslip messages being less prominent.
- A new education strategy of a detailed all staff email reminder will be implemented by the end of 2006 to replace the payslip message. This detailed reminder will form part of the ESDP refresher training for staff.
- Implementation of the Mandatory ESDP Attendance Policy will continue to educate staff.
- Continue to disseminate anti-sexual harassment publicity material regularly.
- As part of the Orientation program, new staff are provided with anti-discrimination/harassment publicity material and are required to attend the ESDP.
- Employee contracts require the employee to sign off in relation to adherence to LTU policies, which include anti-discrimination/harassment policies.
- Complete the review of the University's Anti-Discrimination Policy and Procedures. Disseminate the new Procedures widely throughout the university.
- A proposal will be put forward to establish a central Grievance Office for the university. Whilst the detail has not yet been finalised, it is anticipated that the Grievance Office will be a central point of contact and referral for staff and students.
- Anti-discrimination policies are published on the Equity and Access Unit web site, and the Human Resources Web site with links to other University related web sites.

EMPLOYMENT MATTER 7- PREGNANCY, POTENTIAL PREGNANCY AND BREASTFEEDING

Please provide information on how you consulted with women and analysed the issues relating to this employment matter

- Enterprise Bargaining Agreement negotiations
- Senior Management meetings
- Discussions at Women’s Networks
- University Equal Opportunity Committee and Faculty equity and Equal Opportunity Committees
- Matters raised with the Equity and Access Unit and/or Human resources
- Matters raised at the Equity Staff Development Program
- Annual Analysis of comparative complaints data over the past 3 years
- Annual analysis of maternity leave retention rates over the last 3 years

What did your analysis find?

- During 2004 and 2005, **no complaints** were received based on the attributes of breastfeeding and pregnancy.
- Increased retention rate of staff returning from maternity leave as follows:
2005 83.00%, 2004 81.80%, 2003 83.70%, 2002 81.00%, 2001 70.00%.
- Increased utilisation of part time work options by returning staff at a range of classifications:
2005 33.00% resumed full time 67.00% resumed part time
2004 27.70% resumed full time 72.30% resumed part time
2003 16.00% resumed full time 84.00% resumed part time

What were the issues identified from your analysis?	How did you action these issues and what has been the outcome? (If action was not taken, please include clear reasons and business constraints which were used to determine that it was not reasonably practicable to action the issue)
<ul style="list-style-type: none"> • Minimal number of enquiries, increased staff participation at the ESDP and associated publicity material indicate an increased level of awareness of non-discriminatory practices. • Staff are aware of facilities, support services and entitlements available. • Enhanced parental leave provisions of the EBA. 	<ul style="list-style-type: none"> • Continue to raise awareness via the Equity Staff Development Program and publicity material. • The University provides the following enhanced Parental Leave provisions: <ul style="list-style-type: none"> ○ for periods of employment less than 12 months, 2 weeks paid maternity leave for each month of service ○ for periods of employment greater than 12 months paid leave will be available on the basis of either 26 weeks paid leave or a combination of 14 weeks paid leave and return to work benefits equivalent to 12 weeks paid leave as agreed between the University and the employee. These return to work benefits shall be fully utilised within 104 weeks from the date of birth of the child. ○ spouse's leave of fifteen consecutive working days commencing no sooner than the week prior to the expected date of birth of the child and concluding no later than 6 weeks after the birth of the child. • Continue to provide breastfeeding facilities, on campus child care at Bendigo and Bundoora, on-campus child care available to be salary sacrificed at Bundoora campus, Employee Assistance Program, La Trobe University HCF Group Health Care Fund and flexible work options.



Attachment 1: EQUITY STAFF DEVELOPMENT PROGRAM (ESDP) STAFF ATTENDANCE POLICY

Background

As case law evolves in relation to areas such as equal opportunity, anti-discrimination and equity issues, it is becoming increasingly evident that there is a need for the University to consider the introduction of mandatory attendance at the Equity Staff Development Program to ensure that it meets its obligations under the law and thus avoid situations where it can be held vicariously liable for the actions of its employees.

Equity Staff Development Program

The Equity Staff Development Program (ESDP) on equal opportunity, anti-discrimination and equity issues involves two face-to-face modules with an introductory online component.

Modules are as follows:

Equity issues (includes student equity and issues relating to equal opportunity in the workplace) and Disability issues (three hours)

Aboriginal Liaison, Deaf Academic Services,
Anti-sexual harassment, harassment, discrimination policy and procedures (three hours)

With the introduction of the new Staff Orientation Program by Human Resources in 2004, the module which related to selection and recruitment has been removed from the ESDP and is now managed separately by Human Resources.

Vicarious Liability

It is a general legal principle that an individual is personally liable for his or her unlawful acts. However, in the area of employment (including discrimination and harassment) employers can also be held liable for actions committed by their employees in the course of work. This is referred to as the principle of vicarious liability.

An employer must demonstrate that it has taken all **reasonable steps** to prevent harassment and discrimination in the workplace to avoid being held vicariously liable. Such reasonable steps include:

- having a policy, procedures and people in place to deal with such issues;
- educating staff about the policy and procedures to ensure understanding and application in the workplace;
- distribution and display of policy and publicity material.

Evans v Lee and Anor (1996) EOC 92-822 provides an example of a large organisation being held vicariously liable:

Waiving Application

A female client of a bank was sexually harassed by the manager of her local branch in the course of accessing banking services. In trying to establish that it had taken all reasonable steps to prevent sexual harassment, the bank gave evidence that it had circulated a code of conduct on sexual harassment, as well as a video, letters, an instruction, a brochure and an article. There was also a system of auditing managers to check their compliance with a requirement that they discuss sexual harassment with their staff every six months.

However, direct evidence from staff showed that there had been no recent training on sexual harassment. There were also indications from staff that they did not feel that they could or should take any action against inappropriate behaviour. The Commissioner found that there was virtually no focus on sexual harassment at the bank and that no training or auditing had been undertaken at the branch office where the harassment had taken place.

The Commissioner said that, as a large organisation, the bank has a responsibility:

...to ensure that its policies are communicated effectively to its executive officers, and that they accept the responsibility for promulgating the policies and for advising of the remedial action when breached.

(HREOC (2004). *Sexual Harassment in the Workplace: A Code of Practice for Employers*, p.33)

Recommendation

It is recommended that the following policy be considered and referred to Council for endorsement.

Proposed Policy

La Trobe University is committed to providing an environment free from sexual harassment, harassment, discrimination, racial and/or religious vilification. This includes educating all staff on the issues and responsibilities they have in terms of the legislation and how this is interfaced with the day to day operations of this University. Staff and students are responsible for ensuring that their own behaviour contributes to this environment. Accordingly, it is mandatory that:

- (a) all new full-time and part-time staff attend the Equity Staff Development Program (ESDP) within six months of commencing employment. Staff must complete the online component of the ESDP within one month of commencement of employment and the face-to-face modules within six months of commencing employment;
- (b) all existing full-time and part-time staff, including supervisors, who have not completed the ESDP program must complete the online component within two years of endorsement of this policy by Council, and complete the face-to-face modules within three years of endorsement of this policy by Council;
- (c) all sessional staff (ie, those staff generally employed on a semester basis) must have completed the online component of the ESDP within three years of endorsement of this policy by Council and be provided with an orientation package at commencement, which includes all relevant policies associated with the ESDP;
- (d) all casual staff must be given an orientation package at commencement, which includes all relevant policies associated with the ESDP; and
- (e) all full-time and part-time staff undergo refresher ESDP training every three years.

Waiving Application

Further information and registration is available from the Equity and Access Unit, Bundoora, telephone 9479 2900, email equity@latrobe.edu.au, web site www.latrobe.edu.au or the Equity Officer/Equity contact on each campus:

Albury/Wodonga (02) 6024 9628;
Bendigo (02) 5444 7410;
Mildura (03) 5051 4001;
Shepparton (03) 5821 8316

Approved by La Trobe University Council 3-10-05
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