Equal employment opportunity, employment restructuring and enterprise bargaining: complementary or contradictory?

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This article[1] investigates the relationship and intersection between three employment developments of the past decade: the restructuring of employment, notably the growth in non-standard employment forms, the implementation of affirmative action and equal employment opportunity legislation, and the development of enterprise based decentralised bargaining. The central issue investigated is whether the employment conditions of women workers have been enhanced, unaffected or regressed by these developments. Of particular interest is whether enterprise bargaining and employment restructuring are compatible with the implementation of equal-employment-opportunity-based employment conditions for women workers. The article argues that employment restructuring and enterprise bargaining are unlikely to realise the goals associated with equal employment opportunity legislation. Indeed, many women workers will find it difficult to retain existing employment conditions. The likely impact of the federal Workplace Relations Act 1996 *on the employment conditions of women workers is examined and found to offer nothing which will assist women workers to maintain standards of employment.*

INTRODUCTION

The labour force participation rates and employment share for women workers has expanded continuously over the past three decades. Yet the increasing presence of women in the workforce has not removed their relative disadvantage, with issues of pay equity, benefit access and career path progression being just as important today as they were 30 years ago (Henry and Franzway 1993). However, there has been formal recognition of the disadvantaged position of women in the workforce through a number of legislative and industrial relations decisions from equal pay and anti-discrimination legislation through to equal employment opportunity (EEO) provisions. Concurrent with these changes during the 1990s the industrial

relations system has moved inexorably from a centralised, third party determination process towards decentralised collective bargaining. This shift culminated in the federal *Workplace Relations Act 1996*, in part justified as giving employees (especially women) greater flexibility over their employment conditions (Newman 1997). However, the potential for EEO objectives to be achieved through enterprise bargaining must be questioned. Many women's jobs are outside of the "standard" employment arrangements that have been supported by industrial relations legislation and collective agreements; moreover, the effectiveness of enterprise bargaining as a facilitating mechanism for delivering significant improvements in women's employment conditions appears to be very limited. This article outlines the impact of employment restructuring on women's employment and considers the impact of employment restructuring and enterprise bargaining for enhancing the employment conditions of women workers and achieving EEO objectives. The central thesis presented is that workforce restructuring has reduced the effectiveness of EEO while at the same time many women workers are exposed to the potential erosion of their employment conditions through enterprise bargaining.

THE EEO AGENDA AND ITS LIMITATIONS

The federal *Affirmative Action (Equal Opportunity for Women) Act* was introduced in August 1986 in part following similar provisions in the federal *Public Service Reform Act 1984*. Affirmative action "is about achieving equal employment opportunity for women. In order to achieve this goal, the barriers in the workplace which restrict employment and promotion opportunities for women have to be systematically eliminated" (Affirmative Action Agency 1990, 1). The 1986 Act defined an affirmative action program as "appropriate action [which] is taken to eliminate discrimination by the relevant employer against women in relation to employment matters" and "measures [which] are taken by the relevant employer to promote equal opportunity for women in relation to employment matters." The rationale for affirmative action relied on the disadvantaged position of women in the workforce and utilised the concept of systemic discrimination (Department of the Prime Minister and Cabinet 1984, 12–13.) The *Affirmative Action Act* compels companies with more than one hundred employees, and universities, to implement an affirmative action program. There is a legal requirement for the company to undertake an eight-step program which includes an analysis of the position of women in their organisation which is obtained through an examination of employment statistics, personnel practices both written and unwritten, and consultation with women employees and trade unions. From this analysis the company is required to devise a program which addresses some of the problems identified and sets targets against which future progress can be judged (Strachan 1987). Failure to submit a report to the Affirmative Action

Agency can lead to a company's being named in parliament or being ineligible to tender for a federal government contract. Apart from this there are no punitive penalties associated with non-compliance.

The focus of the Act was towards individual enterprise responsibility in achieving the goals as opposed to legislative and economy-wide standards (Strachan 1987). The implementation of EEO principles presumes good corporate citizenship, the effective participation of women employees in the development and implementation of the agenda, and a process of shared goals and participation. Guidelines for the standard of reports to the Affirmative Action Agency have been produced and reports are assessed against these guidelines (Affirmative Action Agency 1998) and a panoply of national awards and case studies provides the benchmarks from which enterprises can establish their own progress and success in realising EEO objectives. However, these procedures measure only the standard of the written report and not the actual program or its implementation.

The purpose of the Act was to promote the elimination of workplace barriers that restricted the employment, promotion and career paths of women workers. While affirmative action is "the closest we have moved towards the legal recognition of positive collective interests" it preserves an individual rather than collectivist focus in its reliance on the merit principle, that is that "competitive individualism is central to the process of appointment and promotion" (Thornton 1990, 246). Yet at the time of the Act's introduction employment conditions were regulated chiefly through the award system which fostered comparison of conditions across industries and generated many industry-wide conditions such as maternity leave. The 1988 Structural Efficiency Principle which guided restructuring of industry awards was designed to "provide workers with access to more varied, fulfilling and better paid jobs" and to establish "skill-related career paths which provide an incentive for workers to continue to participate in skill formation" (Australian Industrial Relations Commission, Print H4000, 15). This principle, which was compatible with the goals of affirmative action, guided the rewriting of most awards for several years. But in the early 1990s the collective underpinnings of the industrial relations system were dismantled progressively with the introduction of enterprise bargaining, which stressed collective bargaining at an individual enterprise and discouraged industry or across-industry comparisons (Deery, Plowman and Walsh 1997, chap. 9). Basic conditions have been undermined and the changes have, for instance, exacerbated the growth of non-standard work. In this context there is no compulsion for employers to pursue conditions such as "skill-related career paths" as essentially all changes in employment conditions are now negotiated on an enterprise by enterprise basis. The individual enterprise focus of an affirmative action programme has been supplemented by the individual enterprise focus of the enterprise bargain, a subject we return to later in this article. The collective or industry-wide pressure on employers or trade unions

to pursue conditions which promote EEO has decreased and its impact will vary enormously from enterprise to enterprise, depending on local pressures.

Affirmative action legislation has limited application to many women employees, especially those who are the lowest paid and have few career prospects. While federal public servants and some state public servants and local government employees are covered by similar pieces of legislations, the coverage of private sector employees is limited to the *Affirmative Action Act 1986*. The size limitation on participating companies means that only approximately 45 per cent of women employees are subject to coverage from the Act (Australian Bureau of Statistics, Small Business in Australia, Catalogue 1321.0). The majority, 55 per cent, are exempt, since they are employed in businesses with fewer than 100 employees. In addition, casual employees, by definition, receive little training, have few non-wage benefits and are employed under very insecure conditions (Campbell and Burgess 1997). Casual employees can work on a part-time or full-time basis but have little security of employment and do not receive employment benefits such as sick leave and holiday leave. Around 32 per cent of women employees are classified as casual and this proportion is growing, especially the category of workers who are part-time and casual.

Both workforce restructuring and industrial relations have a direct impact on the implementation of EEO principles. If there is a shift towards more marginal, non-career-path employment arrangements, and towards small business sector employment the domain of EEO is reduced. As Strachan (1987) noted, anti-discrimination and affirmative action legislation inevitably overlaps with industrial relations and this relationship has become overt in recent versions of federal industrial relations laws. At the same time as affirmative action policies are required to be implemented for women in the workplace and the principles of anti-discrimination have been incorporated into industrial relations legislation, enterprise bargaining has emerged as the principal method through which wages and working conditions are determined.

WORKFORCE RESTRUCTURING IN AUSTRALIA: THE GROWING WOMEN'S EMPLOYMENT SHARE

Female labour force participation rates together with the female employment share have both steadily expanded over the past three decades despite a persistent increase in the unemployment rate (Table 1). While female labour force participation rates expand, the participation rates for males have declined. Increasingly women have an expectation of long-term attachment to the paid workforce, broken only for short periods for child rearing, and even of establishing a career path. Female employment shares are expanding across all industries and occupations, even in areas such as construction, mining, and management thought to be the exclusive domain of males (Australian Bureau of Statistics, The Labour Force, Catalogue 6203.0). However, a large

Table 1: Impact of workforce restructuring in Australia, 1967–1997

Year	*Male Labour Force Participation Rate %*	*Female Labour Force Participation Rate %*	*Female Labour Force Share %*	*Female Part-time Employment as % of Total Employment*	*Unemployment Rate %*
1967	83.5	37.2	31.7	8.1	1.7
1977	79.8	44.2	36.1	12.0	5.7
1987	74.7	48.3	40.5	16.5	7.8
1997	72.1	52.7	43.0	18.8	8.5
Change 1967 - 97	-12.4	+15.5	+11.3	+10.1	+7.1
Total %	-14.8	+41.7	+35.6	+132.2	+500.0

Source: Foster and Stewart 1991 and Australian Bureau of Statistics, Catalogue 6203.0, The Labour Force.

component of the growth in female employment is part-time and Table 1 demonstrates the growing share of female part-time employment in total employment.

An increasing presence in the labour force has not been matched by a diminution in labour market disadvantage for women workers. Many women workers are located in low paid and non-career path jobs (Probert and Wilson 1993) and women continue to dominate the more marginal employment arrangements of part-time and casual work (Campbell and Burgess 1997; Romeyn 1992) (see Table 2). While female labour force participation rates and the female workforce share have increased and the full-time wage gender gap has diminished, the position for many women workers remains anchored in the low-paying, and often non-career-path, classifications of all occupations (Rimmer 1994). The growth in service sector employment has often been accompanied by the growth in part-time and casual employment, and by the spread of unsociable working hours (Campbell 1996a). Product market deregulation has generated job prospects for women workers, but it has also been accompanied by very fragmented and marginalised employment conditions, especially in such sectors as banking (Alexander and Frank 1990; Junor, Barlow and Patterson 1994) and retailing (Jamieson and Webber 1993; Deery and Mahony 1994).

In the context of this discussion it is important to note that many of the additional female jobs being generated are a combination of part-time and/or casual, and tend to be occupationally and sectoral specific. Between 1984

Table 2: Decomposing women's employment growth, 1984–1997 ('000)

Year	*Full-time Permanent Employees*	*Part-time Permanent Employees*	*Full-time Casual Employees*	*Part-time Casual Employees*	*Non-employees*	*Total*
1984						
000s	1286	286	93	452	299	2416
% share of total	53.2	11.8	3.9	18.7	12.4	100
1997						
000s	1567	573	155	839	452	3586
% share of total	43.7	16.0	4.3	23.4	12.6	100
Change 1984-97						
000s	281	287	62	387	153	1138
%	21.9	100.0	66.7	85.6	51.1	46.5

Source: Campbell 1996a; ABS, Catalogue 6203.0, The Labour Force; Catalogue 6301.0, Weekly Earnings of Employees.

and 1997 female employment expanded by 1.138m., of this increase 674,000 or 59 per cent occurred in part-time jobs. For the same time period the net increase in female casual employment was 449 000—many of these being part-time jobs (Table 2). When you combine these observations with other characteristics of female employment including the concentration of part-time employment in clerical, salesworkers and labourer/related areas and the concentration of female part-time employment in small enterprises (66 per cent in enterprises with under 20 employees) (Lewis 1990), the picture which emerges is one where jobs are insecure, often low paying, have very little career progression and are in workplaces which often have informal and unstructured bargaining arrangements (Simpson 1995). On top of this we can also add the low average duration of employment for many women workers (Campbell 1996b) and their low trade union density (Burgess and Ryan 1996) which reinforces the view that a large number of women workers are marginalised in terms of workplace representation and participation.

Outside the employee domain, female employment has also expanded in the unregulated non-employee area, with a net increase of 153 000 in female self-employed, employers and unpaid family workers between 1984 and 1997 (Table 2). If we leave aside the ambiguous occupation of "manager", clerical and salesworking are the main occupations for females in the non-employee area (as they are for employees). Once again this is a domain of employment characterised by low earnings and exclusion from collective benefits and representation (Burgess 1990). Overall, for the 1984–1997 period, approx-

imately 75 per cent of all additional jobs for women were non-standard. The significance of non-standard jobs is that they are non-regulated and non-unionised (non-employees), are outside standard employment benefits and career paths (casuals), or generate less than a full-time waged income (part-time employees). Overall the non-standard employment share is rapidly expanding in Australia (Brosnan and Campbell 1996), especially as a consequence of the rapid growth in casual employment (Campbell and Burgess 1997), and there is no indication of any abatement in the trend.

The employment expansion recorded in the Australian economy over the past decades has been associated with the expansion in low paid, fragmentary, non-regulated, non-career path jobs (Burgess and Campbell 1997). While this experience is not gender specific, it applies to many of the "new" jobs for women workers and should be borne in mind when considering the "spectacular" expansion in female employment. The nature of the conditions and occupational attributes of the growing female workforce are not conducive to promoting EEO programs or to developing an articulated career progression for women workers. Over-representation of women part-time workers in small enterprises means that they are outside of domain of affirmative action programs. The very nature of many female jobs means that they will be marginalised and/or largely unrepresented in the processes of enterprise bargaining and workplace reform. Past workforce restructuring trends should continue in the future (Department of Employment, Education and Training 1995) and together with the continued path towards enterprise bargaining we seriously doubt whether women workers can effectively participate in such a process let alone realise the expectations of EEO programs.

ENTERPRISE BARGAINING: HOPE OR HOAX FOR WOMEN EMPLOYEES?

Centralised award regulation has been the medium for setting wages and conditions, and for standardising pay and benefits across the Australian workforce for most of this century. Award protection has supplemented trade union membership as the principal means for protecting employees against the arbitrary exercise of managerial prerogative. However, the position of centralised wage determination and awards has gradually been superseded by enterprise based bargaining since the late 1980s. Enterprise bargaining has the potential to act as a medium for transforming the employment conditions of many women workers. Outside of the constraints of the award system, largely associated with male full-time permanent employment, enterprise bargaining has the potential to "open up" the range of issues which enter into the bargaining domain. For women workers areas of potential include training, career paths, childcare, and the configuration of working hours and flexible employment arrangements. At the same time, enterprises that are committed to EEO have the opportunity to utilise the enterprise bargaining framework as a process for facilitating EEO at the workplace.

The EEO discourse, backed up by legislation, has been translated into enterprise agreements to a very limited extent. In its analysis of agreements, the Federal Department of Industrial Relations (DIR) noted that women were more likely to be affected by family leave and equity provisions. Examples of specific equal employment opportunity provisions (DIR 1995, 244) suggested, however, that these clauses indicate a nebulous commitment or compliance with recognised legislation or case decisions and provide no additional commitments. In December 1996 there were 7,532 certified agreements on the FATEXT database of which 439 (5.8%) had a clause specifically on equal opportunity or affirmative action. From an analysis of 150 of these clauses (first 150 on database) it is clear that the overwhelming majority of clauses do no more than state the employers' legislative requirements. Many clauses are short (for example "the parties commit to ensuring that all employees are afforded fair and equal opportunity in all matters at Bunge Narrandera Mill"—B0292). Lengthier ones spell out legislative requirements in more detail, often listing grounds of discrimination or the titles of the pieces of legislation to which the company must respond. Of the 150 clauses, seven mention which committee has responsibility for overseeing EEO; ten mention the involvement of trade unions; two mention child care (although a few agreements have additional child care clauses); eleven spell out policies which deal with sexual harassment. Only five clauses mention anything that is specific to the enterprise. These deal with the internal advertisement of vacancies, appointment procedures and job rotation and career progression. One clause (A1164) in local government states that where members of EEO target groups are "disadvantaged by existing arrangements in a particular area then any organisational change should lead to a significant improvement in their position." The phrasing of one clause, however, leads one to believe that the parties to the National Bus Company agreement do not understand what EEO means, as it states that "as a general rule all parties accept that such opportunities shall be based on merit *and/or* the needs of the business" (N0237) (emphasis added).

European research has indicated that there is a positive link between women's presence in leadership positions and in collective bargaining structures and the development and prioritising of equality agendas (Bercusson and Dickens 1996, 23). If EEO objectives have been implemented through enterprise bargaining it is most likely to have occurred in well-organised, unionised and highly profitable sectors, such as banking. This is an industry dominated by women. In an analysis of 1992 Affirmative Action Reports from six major banks, Strachan and Winter (1995, 40–41, 46) found that women comprised 59 per cent of the 88,000 employees. Only 10 per cent of women were classified as managerial employees compared to 53 per cent of men. The most striking feature of the industry was that 22 per cent of all women worked part-time, and that women comprised 96 per cent of all part-time workers in the industry. Evidence from this study showed that many

worked a proportion of hours on a permanent part-time basis (with pro rata entitlements) and more hours, when needed, on a casual basis. Many felt constrained to work extra hours at short notice or otherwise suffer in their employment (Strachan and Winter 1995, 79–84). Banks have adopted specific internal labour market strategies which rely on a pool of female part-time staff, in excess of 20 per cent, who have little chance of advancement beyond the lowest grades of employment (Strachan and Winter 1995; Romeyn 1992; Women's Bureau 1989). More recent Affirmative Action Reports mirror these patterns. The 1994 Affirmative Action Report for the Bank of Melbourne, for example, showed that 22 per cent of the staff were employed on a part-time basis (97 per cent women). The majority of women were employed as clerks and in sales and service, and only 17 per cent were in senior management. These factors are of major significance in determining the outcomes of enterprise bargaining.

From an analysis of five enterprise flexibility agreements (EFAs) in small to medium banks (Bank of Melbourne, Banque Nationale de Paris, Bank of Queensland, Lloyds Bank, Deutsche Bank), all of which involved the Finance Sector Union, we found that the most likely changes were those which increase the daily spread of hours, increase the span of ordinary hours to include Saturday and place little restriction on part-time workers' hours. This follows a pattern similar to those found in other female dominated industries such as retailing (Probert 1995). While the Banque Nationale de Paris retained traditional working hours, all others have altered working hours. Those of Lloyds, Deutsche and the Bank of Melbourne have been deregulated almost completely; Lloyds' agreement states that the hours are to be determined by the bank and the other two agreements allow the bank and employee to agree to any hours ("you may agree with the Bank [of Melbourne] to ordinary hours different from those," in hours clause [B0574]).

The agreements say little or nothing about training or measures associated with EEO. They allow all or part of an employee's sick leave to be taken to look after an ill relative and all but the Lloyds agreement include the standard banking industry parental leave clause which allows up to 52 weeks unpaid leave and, with the agreement of the bank, part-time work up to the child's second birthday. Mixed or "cocktail" forms of part-time/casual work are clearly seen in two EFAs that allow employees the option of pro rata entitlements or cash loading.

In the Affirmative Action Reports of the Banque Nationale de Paris and the Bank of Melbourne there is a definite linkage between the enterprise bargaining process and legislative requirements for the Affirmative Action Act. The Banque Nationale de Paris boasts that "a commitment to review our Equal Opportunity policy has been included in our enterprise bargaining process" but this is one sentence which states no more than their legislative requirement. It seems clear that the enterprise bargaining process may have taken some resources from EEO as their report states that "our main focus in

1994/95 has been on enterprise bargaining", a process which would flow on to the bank's human resource policies, including EEO. The Bank of Melbourne expressed similar views: The EFA "has been the vehicle used to progress family friendly employment practices. In the agreement flexible rostering of hours has been introduced along with an increased and flexible sick and family leave provision."

In short, even in sectors where there is a high level of female employment and trade union involvement, and so where we would anticipate enterprise bargaining to facilitate EEO objectives, the indications are that at best the agreements pay lip service to EEO, at worst they use the rhetoric of "flexibility" (Campbell 1993) to undermine existing employment conditions.

While enterprise bargaining has the potential to facilitate EEO principles, the evidence suggests that enterprise bargaining agreements to date have paid no more than lip service towards fulfilling EEO objectives. This is hardly surprising, since the decentralised and individualistic nature of enterprise bargaining is by its nature limited in its ability to improve the position of women employees in the workforce. Not all workplaces are involved in enterprise bargaining and conditions such as maternity and parental leave and sick leave which is used to care for family members have been promulgated as national standards through Industrial Relations Commission test cases and subsequently inserted into awards and agreements. Many women work part-time and under casual conditions, are less likely than men to be members of trade unions, predominate in private industries with low unionisation rates, are less likely to be part of committees considering workplace changes in their enterprises and are more likely to have family responsibilities. They are likely to have less access to information because they are more likely to work part-time and on a casual basis and in lower status jobs.

Evidence on women's involvement in bargaining structures is hard to locate and while the federal Department of Industrial Relations (1995, 190–91) reported that there appeared to be little difference between the consultation of male and female employees, there were some workplaces where women were not represented in consultative mechanisms. Subsequent evidence from the 1995 enterprise bargaining report (DIR 1996) gives an insight into the limitations of enterprise bargaining. In general it seems that outcomes for women and men are similar in federally registered agreements, but when one assesses state registered agreements, unregistered agreements and no-agreement workplaces, the relative position of women workers deteriorates. Women are less likely to receive wage increases and more likely to have worked longer hours per week without an increase in weekly wages (DIR 1996, 160–61). To generalise, it seems that for those employees in small workplaces, with low trade union density and non-federal agreements, enterprise bargaining is unlikely to deliver much, not even wage increases.

While DIR correctly states that "in addition to its direct impact on women through the inclusion of relevant provisions in agreements, enterprise

bargaining also has the potential to bring issues of importance to women, such as equal employment opportunity, into mainstream industrial relations" (DIR 1995, 244) this potential is a long way from being realised. The low incidence of specific consideration of EEO issues in agreements shows that it is of little importance on the bargaining agenda. What we are witnessing in Australia is the restructuring of the workforce towards more fragmented and insecure employment arrangements. At the same time the industrial relations system has shifted towards direct bargaining between employers and employees. Within this context it is very difficult to see how women employees can benefit from EEO legislation. For a start, the majority are located outside of the province of the legislation, many of those located within the province of the legislation are excluded from a career path and non-wage employment benefits, and finally the shift towards decentralised bargaining has not been associated with any major implementation of EEO principles through the enterprise bargaining framework. There are severe doubts over whether enterprise bargaining in general, and specifically the *Workplace Relations Act*, can enhance the employment conditions of women employees.

INDUSTRIAL RELATIONS REFORM: FURTHER EROSION OF WOMEN'S EMPLOYMENT CONDITIONS?

Rhetoric about the dual commitment of women to work and family has been used to justify further deregulation of the industrial relations system in Australia and promote enterprise bargaining. The Liberal Party policy on women states, under the heading "A Flexible and Responsive Workplace," that the Liberal/National Coalition recognises the particular needs of women with family responsibilities. The party asserts that their industrial relations policy will be of "particular benefit to those women who wish to blend family and work responsibilities.... Only a flexible and responsive industrial relations system can cater to differing individual circumstances." The "provision of greater personal freedom and flexibility will be achieved by allowing employers and employees to enter into direct arrangements, or Workplace Agreements" (Liberal Party of Australia 1997). The Minister for Industrial Relations, Peter Reith, asserted that the government had focused on work and family considerations in developing the 1996 *Workplace Relations Act* because, "apart from a genuine concern for the family, by implementing initiatives to assist workers with family responsibilities you will get increased productivity" (The Workplace Relations Bill: Supporting Work and Family 1996, 9). The idea of work and family policies is now so prevalent that the 1997/98 budget was trumpeted as a "family friendly" one with a supplementary budget statement entitled "Our Commitment to Women" (Newman 1997). The disadvantaged position of women employees is thus being used to justify a further decentralisation of the industrial relations system.

To date, the evidence that enterprise bargaining has delivered significant improvements for women employees is virtually non-existent. A recent survey

of wage relativities suggested that although the gender relativity for full-time women employees improved slightly, the overall relativity declined as a result of the apparent deterioration in part-time wage rates relative to full-time wage rates (Wooden 1997). The high incidence of part-time (and casual) employment for women employees suggests that they are not in a position to benefit from enterprise bargaining. Such employees risk falling behind because of the lack of organisation and bargaining power, and as a result of the elimination of national wage cases and enforcement of national standards. The influence of the Australian Industrial Relations Commission and awards are set to decline under the Coalition Government's industrial relations legislation. The stripping back of award conditions, the facilitation of non-union agreements and the extension of controls over trade union activity signals an intensification of the pressure on women's employment conditions. For women workers outside affirmative action requirements and the enterprise bargaining framework, the prospects are grim, as they always have been; for those within the framework the prospects are similarly unpromising. Our limited survey of enterprise bargaining is not reassuring, especially as we have covered unionised and structured workplaces largely operating within the affirmative action reporting framework. Our observations tell us something about the employers' bargaining agenda but also highlight the lack of progress by trade unions in realising EEO goals through enterprise bargaining. There is a real danger that in industries subject to intensive competitive pressures and government cost-cutting objectives, that the terms and conditions of employment will be more readily eroded than in the past. For female-dominated workplaces this could be translated into real wage cuts, more unsociable working hours, increased employment casualisation, less external training, greater career-path exclusion, less effective workplace representation and a growing work intensification. Fragmentary case-study evidence suggests very limited recognition of the needs and aspirations of women workers within enterprise agreements (Probert 1995; Burgess et al. 1997), and consequently the prospects for progress within the new industrial relations framework appear minimal.

Future prospects for many women employees are bleak. While the core of award protection and safety net provisions (for example, National Living Wage Cases) are maintained, there are proposals to reduce the application of awards and the authority of the Industrial Relations Commission in the future (Murphy 1998). This is in spite of the fact that the 1996 National Living Wage Case revealed a large core of full-time women employees earning very low weekly wages (Australian Centre for Industrial Relations Research and Teaching 1996). How these workers would benefit from an even more decentralised industrial relations system with fewer standards remains to be articulated. In conjunction with workforce restructuring the shift towards an even more decentralised industrial relations system will only exacerbate the decline in the standard of employment conditions for many women employees.

CONCLUSION

The EEO agenda has been formally in place for over a decade. The initial limitations in the design and application of the EEO framework are being exacerbated by the expansion in non-standard employment and the emphasis placed upon direct bargaining between employer and employees at the workplace. Since the mid-1980s women's employment share has increased and the industrial relations system has become more and more decentralised. The outcomes of workforce restructuring and enterprise bargaining are incompatible with the EEO agenda. It is ironic that recent industrial relations reforms have been promoted as enhancing the position of women employees and being "family friendly." As trade union representation at the workplace declines, as the application of awards and safety net protection is reduced, the position of the many low paid, non-career path women workers will become even more precarious. Outcomes of the EEO agenda will apply less and less to these women workers.

NOTES

[1] A shorter and earlier version of this paper was presented at the Conference of the Association of Industrial Relations Academics of Australia and New Zealand, Brisbane, February 1997.

[2] Systemic discrimination can be delineated as a combination of direct and indirect discrimination. It is the situation created by the interaction of discriminatory actions and decisions and rules, policies and practices which affect groups of people in a systematic way (Department of Prime Minister and Cabinet 1984, 12).

[3] The labour force survey relies on self-enumeration for information. Since non-employees are involved in small businesses, often performing a range of tasks, they classify their occupation as manager. This category becomes a catch all for a range of occupations from word processing through to sales.

[4] FATEXT was produced by DIR and contained all federal awards and agreements. It has been superceded by the OSIRIS database available through the world wide web.

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