

NEW ZEALAND CONFERENCE ON PAY AND EMPLOYMENT EQUITY FOR WOMEN

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The National Advisory Committee on Employment of Women (NACEW) hosted the New Zealand Conference on Pay and Employment Equity for Women, 28–29 June 2004, in Wellington. The purpose of the conference was to lift the debate on pay and employment equity for women in New Zealand and provide an opportunity to think about ways forward. The first day of the conference was focused on scene setting, and the second day on solutions.

Pay and employment equity is once again on the political agenda, and the profile of the invited speakers reflected this. Presenters included experts from the United Kingdom, Canada, the United States and Australia, as well as New Zealand's Associate Minister of Labour, Minister of Commerce, Chief Executive of the Department of Labour and Human Rights Commissioner. Around 200 people attended, from the public service, universities, the voluntary sector, independent research agencies and trade unions.

The road to employment equity has been long and tortuous, and still the end is not in sight. As Suzanne Snively, the chair of NACEW, pointed out in her opening address, New Zealand women have been campaigning for equal pay since women teachers demanded equal pay in 1893. Women public servants were at last granted equal pay for the same work as men in 1960, and this was extended to women working in the private sector by the Equal Pay Act 1972. However, when clerical workers lodged a claim for equal pay for work of equal value (pay equity) in 1985, the court did not consider it on the ground that the Act's implementation period was over. New Zealand had just ratified the International Labour Organization Conventions No. 100 on Equal Remuneration and No. 111 on Equal Employment Opportunity, and the United Nations Convention on the Elimination of all forms of Discriminations Against Women (CEDAW). So, instead of appealing that decision, the Labour government developed new legislation with improved pay equity provisions. The Employment Equity Act was passed in 1990, and promptly repealed by the incoming National Government later the same year.

Pay equity was largely absent from the political agenda during the remainder of the 1990s. The 1999–2002 Labour-led coalition government did not take steps to replace the 1990 legislation, promising instead to make pay equity a project for its second term in

office. In July 2002, the government put out a Ministry of Women's Affairs discussion document *Next Steps Towards Employment Equity* and established a Taskforce on Pay and Employment Equity in the Public Service, Health and Education, chaired by Diana Crossan. Its report came out shortly before the conference.

The papers presented in the conference demonstrated the magnitude and intractability of the problem of pay and employment inequities for women. Often it is the gains that have been made by some women that receive most attention. For instance, Sylvia Dixon's paper showing that women's average hourly earnings in New Zealand had risen to 87.1% of men's by 2003 was the only item from this conference to be reported by the *Dominion Post*. Similarly, girls' and women's academic successes in schools and in tertiary education (where they now comprise 62.3% of graduates) is much publicised. Continuing gender inequities tend to be overlooked by the mainstream media or treated as though they will disappear without the need for government intervention.

In fact, as many presenters at this conference indicated, the hourly gender pay gap in the public service, health and education is still almost 20%. Much larger gender differentials exist in weekly and annual earnings, partly because of women's longer hours of unpaid work and shorter hours of remunerated employment. Only 59% of women in New Zealand are in paid work, compared with 79% of men. When employed, women are more likely to be in part-time jobs. Women are also the majority of low-paid workers, caught in poorly remunerated female-dominated areas of work, and more likely than men to occupy insecure temporary and casual positions. Occupational segregation by gender continues, affecting the rising generation as well as existing workers. Within occupations that employ both women and men, women are over-represented in the lower-status positions and under-represented in the top jobs.

Some of the papers showed ways in which social class and ethnicity compound gender discrimination. Working-class women receive training for low-paid female-dominated occupations. Overall, only 24% of industry trainees and 7% of apprentices are female at present, and papers by Nicky Murray and Ana Gilling showed that there is still relatively rigid sex-typing in training for industry. Under the Modern Apprenticeships Initiative introduced in 1999, young women are being trained in traditionally very low-paid areas, such as hairdressing, and are not recruited for areas where they would be equally capable, such as electrical wiring. Moreover, as Prue Hyman pointed out in a plenary session, 47% of Māori women and 45.9% of Pacific women are paid less than \$12 per hour.

Some presenters also countered the idea that gender discrimination in the paid workforce will gradually disappear. Indeed, there are indications that, without strong action by governments, the situation of women will deteriorate. Canadian expert Mary

Cornish noted the damaging global tendency towards deregulated labour markets (including contracting out and self-employment), reductions in social services (which lead to a growth in women's unpaid work) and cutbacks in state sector jobs (which are normally a major source of employment for women).

Conference presenters proposed a range of solutions to address the problems outlined above. James Buwalda, head of the Labour Department, described the coalition government's five-year action plan for a tripartite steering group and a pay equity unit. The plan is to begin with requiring government departments, and then health and education sectors, to progress pay and employment equity. The next phase will cover women working in the private sector. However, the vast majority of women workers in the private sector are employed in small and medium-sized organisations, and it will be especially challenging to deliver equal employment opportunities and pay equity to these women without strong legislation. There will be pressure on employers to comply, but no legal requirement to do so. Indeed, at the time of the conference, the government was planning to repeal the current Equal Pay Acts, to the consternation of many of the conference participants, replacing it with provisions on equal pay but not equal pay for work of equal value.

In contrast, the overseas experts were firmly in favour of pay equity legislation. As keynote speaker Pat Armstrong from Canada said, speaking of the successful Ontario pay equity legislation: "Pay equity is worth it. It works". Armstrong reiterated the need for strong and effective legislation that is flexible and that can be constantly extended. A need for other forms of direct government action was also expressed by keynote speaker and United States expert Heidi Hartmann, who argued that raising the minimum wage would also be of particular assistance to women, who form the majority of low-paid workers, especially the long-term working poor.

One of the frequently cited difficulties of reviving pay equity legislation in New Zealand is that the legislative framework for labour relations has also changed since 1990. At that time, national occupational wage awards would have made it comparatively straightforward to compare a female-dominated occupation such as nursing with a male-dominated group such as the police, but finding suitable mechanisms for delivering employment equity is now more challenging. As Philippa Hall pointed out, in Australia, which still has national awards and compulsory arbitration, there is a smaller gender pay gap: only 10%. Laila Harré argued that current low union density means New Zealand still has a key task ahead rebuilding the unions and women's position within them.

Despite the complexities involved, the international experts argued strongly that a legislative requirement upon employers to deliver pay and employment equity to women is essential if a nation such as New Zealand is to overcome what Mary Cornish

described as systemic economic discrimination against women. At present, it does not appear that New Zealand is on its way to meeting its international obligations under ILO 100 and 111 or CEDAW.

The conference met its aim of lifting the debate, and it was highly informative. It was well organised and ran to time, although sometimes, frustratingly, at the expense of adequate discussion around important points. Participants were able to think about ways forward, although there was sometimes a sense that key decisions had already been made by the government and all that remained was to inform interested parties about the processes of implementation. In the circumstances, participants might have wondered what real difference the conference was going to make.