

**AFFIRMATIVE ACTION AGENCY**

**AFFIRMATIVE ACTION: GUIDELINES FOR  
IMPLEMENTATION IN INSTITUTIONS  
OF HIGHER EDUCATION**

**Affirmative Action Agency  
65 Berry Street  
North Sydney**

**Australian Government Publishing Service  
March, 1987**

**©Commonwealth of Australia 1988  
ISBN 0 644 06902 3**

**The Affirmative Action Agency  
has prepared these Guidelines  
to assist institutions of higher  
education in the formulation  
and implementation of their  
affirmative action programs.**

**Please contact the Agency if  
you have any queries.**



# TABLE OF CONTENTS

|   |    |
|---|----|
| INTRODUCTION  | 1  |
| POLICY STATEMENT  | 5  |
| Contents  | 5  |
| — Commitment  | 5  |
| — Senior officer responsible                                      | 5  |
| — Outline of program  | 5  |
| Dissemination of policy   | 6  |
| — Internal  | 6  |
| — External  | 6  |
| DUTIES AND RESPONSIBILITIES OF AFFIRMATIVE ACTION<br>CO-ORDINATOR | 9  |
| CONSULTATION WITH TRADE UNIONS                                    | 11 |
| CONSULTATION WITH EMPLOYEES                                       | 13 |
| STATISTICAL ANALYSIS OF WORKFORCE                                 | 15 |
| Considerations in the statistical review of workforce             | 16 |
| — Occupational classifications                                    | 16 |
| — Occupational segregation, salary and wage scales                | 16 |
| — Lines of progression  | 16 |
| — Rates of progression  | 17 |
| — Educational qualifications                                      | 17 |
| — Assessment of under-utilisation                                 | 17 |
| — Future employment trends  | 18 |
| — Applicant flow  | 18 |
| REVIEW OF PERSONNEL POLICIES AND PRACTICES                        | 19 |
| Recruitment procedures  | 19 |
| — Advertisements  | 19 |
| — Application forms   | 20 |
| Selection procedures  | 20 |
| — Selection tests   | 20 |
| Interviews  | 21 |
| — Interviewing committees   | 21 |
| — Content of interviews   | 21 |
| Promotion Procedures  | 21 |
| — Promotional opportunities                                       | 22 |
| — Transfer procedures   | 23 |
| — Seniority   | 23 |
| — Level of appointment  | 24 |



|  |           |
|--|-----------|
| <b>Staff Development</b>                                     | <b>24</b> |
| — Internal training/development                              | 24        |
| — Staff development, training courses and seminars           | 25        |
| — Assessment of training and staff development opportunities | 25        |
| — Internal affirmative action training courses               | 26        |
| — External training/development                              | 26        |
| <b>Conditions of employment and availability of benefits</b> | <b>27</b> |
| — Tenure and permanency                                      | 27        |
| — Contract employment  | 28        |
| — External consultancies                                     | 28        |
| — Permanent part-time work                                   | 28        |
| — Leave  | 29        |
| — Child care   | 29        |
| — Composition of committees                                  | 30        |
| — Overtime, bonuses etc.                                     | 30        |
| <b>SETTING OBJECTIVES AND FORWARD ESTIMATES</b>              | <b>33</b> |
| <b>MONITORING AND EVALUATION PROCEDURES</b>                  | <b>35</b> |
| <b>EXAMPLES</b>  | <b>37</b> |
| — Example: policy statement                                  | 37        |
| — Example: basic data for statistical analysis               | 38        |
| — Example: setting objectives and forward estimates          | 39        |
| — Example: monitoring and evaluation procedures              | 41        |



# INTRODUCTION

The *Affirmative Action (Equal Employment Opportunity for Women) Act 1986* was proclaimed on 1 October, 1986. The Act requires certain employers to promote equal opportunity for women in employment by means of affirmative action programs. The intention is to remove discrimination against women in the workplace and to ensure its continued absence. As a minimum requirement the legislation sets out eight steps which should be undertaken as part of an affirmative action program.

Institutions of higher education are the category of employers first required to comply with the legislation. The starting date for the development and implementation of their affirmative action programs was prescribed as *1 October, 1986*. After a year of compliance with the legislation institutions are to report on their affirmative action programs and what has been achieved during the first 12 months of the program. Thereafter they should report on progress made at twelve monthly intervals. Reports are due within three months after the period to which they relate. While the legislation provides for the submission of a confidential report in addition to a public report, this is unnecessary if the latter contains all the analyses required. Since higher education institutions are unlikely to be concerned with material which is commercially sensitive they may wish to consider submitting a public report only.

This reporting system provides the means of evaluating the progress of affirmative action at three levels.

1. It allows the institution concerned to assess the effectiveness of its affirmative action program.
2. It allows the Affirmative Action Agency to evaluate progress made in an institution in any one year and over the years.
3. It establishes the method of evaluation of the affirmative action program at a national level and the identification of general trends in the employment of women in the higher education sector.

These guidelines are intended to assist in the formulation and implementation of affirmative action measures set out in the legislation. The eight steps identified are as follows:

1. Development and issue to all staff members of a policy statement on affirmative action.



2. Conferral, on a senior executive, of responsibilities for the development and implementation of an affirmative action program.
3. Consultation with unions.
4. Consultation with employees, particularly female employees.
5. Statistical analysis of workforce.
6. Review of personnel policies and practices.
7. Setting objectives and forward estimates.
8. Monitoring and evaluation of an affirmative action program.

It is important to stress several points:

- the guidelines have been produced to assist in promoting equality of employment opportunity for women;
- the order in which the steps are outlined is not rigid although the first two steps as written do seem to have logical priority and consultation with unions and with women should occur from the beginning and at all stages in the program;
- while it is important to address the first four steps at an early stage in the program it may not be possible to pursue all other actions identified at the same time; clearly the monitoring and evaluation process can only be addressed after the passage of some time;
- the Agency is able and happy to provide further advice and assistance as requested.

There are many directions in which affirmative action may usefully be taken; that they are not spelled out in these guidelines, or the legislation, should in no way exclude them from consideration and incorporation in affirmative action programs.

While the legislation requires that steps be taken to give women employment opportunities and benefits equal to those enjoyed by men it allows for flexibility in the way institutions will achieve this purpose. Institutions should therefore, promote affirmative action which will be effective and best suited to their structures and organisation.

Since institutions of higher education offer differing courses, have different histories and work through differing structures they are likely to take diverse approaches in formulating and implementing affirmative action programs.

Employment in universities, colleges of advanced education and institutes of technology is broadly divided into two sectors: academic staff and general staff. In many respects the employment experiences



of women in these two sectors are comparable, but there are also a number of difficulties which are specific to one sector or the other. Although each institution of higher education is likely to take a different approach to its affirmative action program, the need to ensure that the program is effective in *both* staff divisions is important to all institutions.

Education is crucial to the success of affirmative action programs. The better the understanding of the forms and processes by which women have been and are disadvantaged in employment, the greater the chances of effectively advancing towards equality of employment opportunity. It is important that staff at all levels be encouraged and assisted in developing this understanding.



# **POLICY STATEMENT**

## **CONTENTS**

Issuing a policy statement is an essential step for any organisation initiating an affirmative action program for women. The statement should come from the governing body or the chief executive officer and state the date on which the institution commenced its affirmative action program.

It should include, at least, the information set out below, with further information being added according to the needs of the organisation.

### **Commitment**

The policy should include clear comment that the senior management of the organisation is committed to the effective introduction and implementation of the affirmative action program. This commitment means that the organisation will aim to eliminate all discrimination against women and ensure that the policies and practices of the organisation are based on an assessment of each individual's skills, qualifications, abilities and aptitudes and not on factors such as sex. The policy should be formulated in consultation with relevant trade unions, representatives of women's groups and senior administrators. The policy should state that all managers will support and implement the program.

### **Senior officer responsible**

The statement should include the name of the senior officer who is to be responsible for the co-ordination and development of the affirmative action program. It may also include the name of another officer who is available to answer any queries from staff members.

### **Outline of program**

It would be useful to give a brief outline of the various steps to be undertaken in the program including:

1. A review of all personnel policies and practices covering areas such as recruitment and selection methods and criteria, promotion, staff development, career paths, training, transfers, leave provisions and other conditions of service and termination of employment.
2. Statistical analysis of the workforce of the institution.



3. Development of objectives and forward estimates and the means of achieving them.
4. Outline of proposals for consultation with relevant trade unions and employees, particularly women.
5. Monitoring and evaluation of the progress of the program.

## **DISSEMINATION OF POLICY**

### **Internal**

The policy statement should be disseminated throughout the organisation as widely as possible. Some ways of doing this would be:

1. Include a copy of the affirmative action policy statement in any induction manual or handbook provided to new employees.
2. Include a segment on the affirmative action program in staff training and orientation sessions.
3. Depending on the size of the institution and existing internal publications, either send a copy of the statement to all employees or include it in any internal bulletins and newsletters distributed to all employees.
4. Place copies of the statement on relevant notice boards.
5. Conduct special meetings with senior academic and general staff to explain the statement and the policy initiatives behind it.
6. Publish, in internal bulletins or newsletters, articles and photographs reflecting the progress of the affirmative action program.
7. Include sessions on affirmative action in academic and administrative conferences.
8. Invite 'outside' identities to speak to staff on affirmative action.

### **External**

The introduction and implementation of the institution's affirmative action program should be drawn to the attention of a number of external organisations:

1. All newspaper and public advertisements for staff should include the statement that the institution operates an affirmative action program.



2. Inform all recruitment sources used by the institution, of the existence of the program and request their assistance in actively recruiting and referring women with relevant qualifications for all vacancies.
3. Include material and suitable photographs in the institution's internal publications and any other material issued to the public, the media, commercial and educational organisations or students.
4. Notify all relevant trade unions and staff associations about the existence of the program and its proposed content, and indicate a commitment to consult with them about the program.
5. Include information on the program in all recruitment material.



# **DUTIES AND RESPONSIBILITIES OF AFFIRMATIVE ACTION CO-ORDINATOR**

To enable the program to be effective, the responsibility for implementing the program should be conferred on a senior administrator in the institution, commonly the Vice-Chancellor/Principal/Director. The role of this senior executive is to oversee the content of the program and to ensure that the institution's policy is being implemented and that consultation is being properly undertaken. The co-ordinator should also ensure that information on the institution relevant to the development of a program is accessible to officers working on the program. Departmental heads, administrators and supervisors who usually make personnel decisions should also be involved actively in implementing the program, although the ultimate responsibility rests with the co-ordinator.

In addition to the co-ordinator, who has overall responsibility for the program, it is recommended that an affirmative action officer be appointed or nominated to carry out the day-to-day tasks including:

- undertaking/co-ordinating necessary research;
- analysing both qualitative and quantitative information collected;
- identifying means of implementing the program;
- preparing the details of the program;
- providing advice and assistance to other staff members implementing and administering the program;
- designing and implementing evaluation and monitoring procedures to ensure that the program is effective.

Such an officer should have access to research facilities, office accommodation and other resources as well as be provided with adequate support staff.



# **CONSULTATION WITH TRADE UNIONS**

The legislation requires that there be consultation between the employing institutions and each trade union with members affected by the program. The effective implementation of the program will be more successful if relevant unions and staff associations are able to indicate their support for the principles behind the program and its introduction, to assist with its development and inform their members of the progress achieved.

In this context, one or two meetings cannot be construed as consultation which should be interpreted as a continuing process of deliberation in which advice is sought and information exchanged. The intention is to achieve agreement in a form satisfactory to all parties concerned.

It is, therefore, most important that the trade unions and staff associations which cover the staff of the institution are consulted by the institution from the beginning of the program and at agreed stages throughout its development, implementation and evaluation.

Adequate and meaningful consultation with trade unions is an essential step in avoiding any problems of industrial unrest or disharmony.

In cases where staff in one institution are covered by many unions, the members of those unions may wish to elect a smaller number of representatives to participate in the consultative process.

One means of achieving effective consultation is through the establishment of a committee composed of union and employer representatives.

Such a committee, providing a forum for negotiation of affirmative action issues between unions and management, may be in addition to a broadly based consultative committee as discussed in the following section.



# **CONSULTATION WITH EMPLOYEES**

It is important that employees have full knowledge of and support the affirmative action program in their institution, and one of the requirements of the legislation is consultation with employees, particularly female employees. The most effective means of consultation would be through women's groups.

An institution may find it useful to establish a broadly-based consultative committee. It should include strong representation from women on staff and should provide an effective way of consulting and involving staff members in the development of the affirmative action program. Such a committee provides a means of securing staff understanding of and support for the aims of the program and the principles behind it.

Where associations of women staff members already exist in many institutions it may be appropriate to consult separately with these associations on a regular basis.

The role of the consultative committee would vary within each institution but should cover the following functions:

1. To provide a forum for information exchange and discussions between staff in all occupational classifications within the institution and the staff members responsible for the preparation of the program.
2. To gain information from women staff on the barriers they perceive and/or have experienced within the institution which limit the potential of women employees, ie, the operation of systemic discrimination.
3. To provide advice and assistance on the proposed content of the affirmative action program, on the objectives and forward estimates most appropriate to that institution and the means of achieving those objectives.
4. To provide a forum where the concerns of all staff about the effect of the program may be raised and discussed.
5. To provide ideas and contributions on other measures, eg, the provision of campus-based child care, which could be developed within the overall framework of the program.



6. To ensure that the needs and aspirations of specially disadvantaged groups of women, for example Aboriginal women, women from non-English speaking backgrounds or women with physical disabilities, are included.

Regular reports, in the institution's internal news publications, of the business of the consultative committee, would provide an important educative function.

It is recommended that the consultative committee consist, at least, of the following members:

- members of women's groups representing the specific interests of women on both the academic and general staff;
- representatives of the relevant trade unions and staff associations;
- where relevant, representatives of the post-graduate association;
- several senior staff members, a member of the institution's governing body, a representative of the academic decision-making body and, as relevant, one or more representatives from departments or sections of administration.

The special representation of women staff members is necessary in view of the low representation of women in senior levels in most institutions and union structures. It is important that women on the consultative committee have the confidence of and can represent all women on staff. It may be appropriate that these representatives be elected.



# **STATISTICAL ANALYSIS OF WORKFORCE**

Statistical analysis of the workforce is a fundamental and early step in the development of an institution's affirmative action program. This analysis will identify the location of women within the organisation, their occupational classifications, salary levels, educational qualifications, etc.

Systemic discrimination is the result of the operation of rules, practices and policies, whether intentional or unintentional, which have created visible and invisible barriers in the structure of the organisation. The statistical analysis enables an identification and investigation of employment areas in which women experience problems. It should be reviewed annually.

As this initial data base is central in a program, it is obvious that care must be taken to ensure that the information it contains is correct. The method of collecting and analysing the data depends on the type of personnel records maintained by the institution.

Most large and medium size institutions hold their personnel and payroll records on computer and much of the required information is readily accessible. Review of demographic data on employment, disaggregated by sex, is an important aspect of an affirmative action program and serves as an educational exercise in analysing the employment structures and relationships of the institution. It should be undertaken at least on an annual basis. For these reasons, not to mention the benefits derived in more efficient management practices, institutions may seek to establish and maintain an adequate computerised data base on employment.

Analysis of the workforce should take into account a range of considerations including those covered in this section. It would, therefore, be useful if the employment information system could incorporate as many relevant variables as possible. Many of these data are already required by the Commonwealth Tertiary Education Commission and State Co-ordinating Authorities.

The information held may need to be supplemented with further material, particularly of an experiential or attitudinal nature. Such information could be collected by survey, group or individual interviews.

Considered together, statistical data and information on personnel policies and procedures should give a good understanding of employment practices and structures and the opportunities for women to enter the workforce and advance in it.



# **CONSIDERATIONS IN THE STATISTICAL REVIEW OF WORKFORCE**

The following sub-headings flag aspects of employment which might be taken into account when analysing the workforce. The list is not exclusive. Gender would constitute a critical consideration in all aspects of analysis.

## **Occupational classifications**

It is necessary to know the distribution of women and men across occupations in order effectively to implement an affirmative action program.

A basic step in a statistical analysis is therefore to divide the workforce into major occupational categories. Universities, colleges and institutes annually provide staffing data to the Commonwealth Tertiary Education Commission and its Councils. It would be cost-effective to develop this data base for the institution's affirmative action program. Other statistics relating to tenure/permanency, full-time/part-time, fractional and casual employment should be collected.

The data should be analysed by sex and, as appropriate, by salary grade, campus and faculty. Many of the data are already required by the CTEC. The information derived would be consistent with the Australian Standard Classification of Occupations (ASCO) developed by the Department of Employment and Industrial Relations and the Australian Bureau of Statistics.

## **Occupational segregation, salary and wage scales**

With the operation of gender-neutral awards it is unlikely, in the higher education sector, that women and men working at the same level in the same occupation will be paid at different rates. Since certain occupations attract higher wages and salaries than others, and since women are generally concentrated in particular occupations, a comparative analysis of salary scales in predominantly female and male occupations will help identify the extent to which occupational segregation adversely affects women. Sometimes the skills attached to particular jobs attract a special loading or extra payment. What these jobs are, whether they fall into any segregated employment pattern and how often such loadings are paid is useful information.

## **Lines of progression**

Another step in statistical analysis is to examine the lines of progression — that is, the order of jobs that employees can pass through, by promotion, to move to the top of that occupational category. An analysis



of the number and proportion of women at each of these steps or levels may provide an indication of the existence of barriers operating to prevent women from moving into more senior positions in the organisation. Further analysis can be undertaken to ascertain the reason for this pattern, if it is occurring.

### **Rates of progression**

How long women and men occupy given positions before advancing in their occupational category may constitute an important consideration in developing some aspects of an affirmative action program.

### **Educational qualifications**

An analysis of the educational qualifications of employees frequently reveals that numbers of staff members are employed in positions not fully utilising their qualifications and talents. Such analysis would provide a cost-efficient exercise opening the way for staff to carry the knowledge and skills gained from previous experience into new positions.

For example, a number of clerical and keyboard staff may have tertiary or other qualifications which are under-utilised. They may wish to advance but are structurally hindered by their job classification. Appropriate internal training programs would enable them to move into other positions with better developed career structures.

Data on educational qualifications may be held on the staff records. They may, however, be out of date if the staff member has undertaken further education while working for the institution. Consequently, it is important that the institution provide the opportunity for people who have added to their educational qualifications to notify the relevant section of the staff office so that this information can be incorporated into the records. When an institution has contributed to the gaining of these qualifications, eg, by way of time off to attend classes, reimbursement of fees or the like, then that information may be recorded already.

### **Assessment of under-utilisation**

When analyses of occupational classifications, lines and rates of progression have been completed it is possible to investigate whether women are under-represented in the institution relative to their labour market availability. The analysis would usefully encompass examination of the representation of Aboriginal women, women from non-English speaking backgrounds and women with physical disabilities. The investigation will need to address a number of issues including the following:



1. Availability of women with requisite skills
  - in the locality
  - in areas from which the institution can reasonably recruit.
2. Number and percentage of women in the relevant qualification pool for a particular discipline.
3. Availability of women within the organisation who can be promoted or transferred.
4. Existence of training programs within the institution or in other institutions/organisations readily accessible to employees.
5. Degree of training which an employer could reasonably provide to female employees to make more jobs accessible to them.

### **Future employment trends**

The future plans of the institution also require assessment and analysis. An institution which is anticipating an expansion of its workforce will be able to incorporate this expansion into the development of its affirmative action program. Conversely, if an institution is reducing its workforce, then an analysis of retrenchment guidelines should be made to ensure they do not conflict with the affirmative action program. An assessment of projected workforce increases and decreases made on, say, a one year and three year basis, would enable these changes to be incorporated into the affirmative action program.

### **Applicant flow**

An analysis of applications for vacant positions and for promotion should be undertaken. This would include examination of a number of variables including:

- occupational classification of position;
- date position filled;
- number of female and male applicants;
- sex of appointee;
- age of appointee;
- qualifications of appointee (education and work experience as relevant);
- qualifications of other applicants.

These data should be centrally recorded and maintained.



# **REVIEW OF PERSONNEL POLICIES & PRACTICES**

Most institutions have a series of personnel policies and practices which provide the basic guidelines by which personnel decisions are made within those institutions. Frequently, these policies and practices have been developed over a number of years and may not have been systematically reviewed or reassessed. They may appear to be gender neutral, that is, to operate on a basis of equal treatment for women and men, but they may, in fact, have quite different consequences for women and men.

The development of an affirmative action program requires all policies and practices to be examined to ensure that their impact on women does not constitute systemic discrimination. Where such an examination demonstrates that there is an adverse effect on the employment opportunities for women within the organisation, then the amendment of these policies and practices will be part of the affirmative action program.

The review should ensure that job qualifications and specifications are inherent requirements of the jobs and do not explicitly or implicitly exclude or discourage women from applying.

It is important:

1. To examine the formal policies and practices of the institution including written policies and documents such as personnel manuals, handbooks, contracts, training packages, application and employment forms as well as formal procedures for selection, promotion etc.
2. To examine the informal policies and practices (the absence of identified policies and procedures may discriminate against certain categories of people).
3. To investigate the degree of congruence between formally identified policies and practices and their informal exercise.

## **RECRUITMENT PROCEDURES**

### **Advertisements**

There are numbers of ways in which information on job vacancies can be disseminated. Care must be exercised to ensure that they do not



unintentionally discriminate against women. All job advertisements should contain a statement that the institution is committed to providing equal employment opportunity and it is recommended that the statement notes that women and men are encouraged to apply.

*Staff bulletins, newsletters and newspapers.* Many institutions advertise in staff bulletins, newsletters and newspapers when recruiting employees. Under the provisions of the *Sex Discrimination Act 1984 (Cth)* advertisements or notices must not exclude members of one sex. That is, advertisements must not, by their wording, indicate that employment opportunity is only available to women or to men.

*Internal and word-of-mouth advertising.* Word-of-mouth advertising throughout the institution and reliance on informal network of friends, family and other work contacts to disseminate information on available positions may have the effect of unintentionally restricting the knowledge and possibly excluding women from the recruitment process.

### *Application Forms*

An application form should only request information that is directly job related and not information which could be used in a discriminatory manner in recruitment, appointment or later employment practices.

## **SELECTION PROCEDURES**

Before a job is advertised it is important to identify and document clearly the tasks and responsibilities associated with that position. This procedure will enable the employer to establish the criteria which should be satisfied in selecting an appropriate applicant. The job description and selection criteria should be made available to all potential applicants.

No weight should be given to considerations which are not directly relevant to the job. These might include age, marital status or overseas (cf Australian) qualifications. Equally, relevant experience should be given due recognition, for example, teaching experience in the case of members of academic staff and administrative/clerical experience for members of the keyboard staff.

### **Selection tests**

In the case of some work it may be useful to ask applicants to undertake a test, or series of tests, to determine their suitability for the job. In such cases the impact of these tests should be examined to ensure that they do not unfairly disadvantage one sex. All applicants for the position should undertake the same tests which should only ask questions, or



assess performances, directly relevant to the duties and responsibilities of the job.

## **INTERVIEWS**

### **Interviewing committees**

The possibility of discrimination against women applicants is increased when interviewing committees consist only of men. Therefore, wherever possible, a selection committee should include at least one woman. Interviewers should have an understanding of and sympathy with affirmative action principles.

### **Content of interview**

The questions asked of all applicants should be the same, and assessment of the answers should be made on an objective, not subjective, basis. Questions should be designed to provide the information which is required to form the basis of the assessment of the applicant and not be an indirect way of acquiring information which will be the basis of a discriminatory decision.

For example, the position may require an applicant to travel regularly, or work overtime or at weekends. Questions should clearly seek out relevant information, and indirect methods should not be used. Questions such as "What are your child care arrangements?", "What does your husband think about your getting this job?", "When do you intend to marry?", "When do you intend to have children, and how many?", should not be asked. Use direct questions such as: "Are you able to travel for two weeks every two months?" or "Can you work at the weekend on short notice?" which are requests for the actual information needed to make the assessment of the applicant.

Other matters for assessment should also be addressed in an equal, non-discriminatory manner. Frequently, women are assessed by their dress, hair and general appearance while similar assessments are not made of male applicants.

## **PROMOTION PROCEDURES**

A "promotion" is any movement of personnel to a position of greater skill, qualification or responsibility. It is not restricted to an increase in salary or wages. Criteria for promotion or reclassification to any given position should be clearly identified and available to all potential candidates.



As in the case of reviewing selection procedures it may be necessary to reassess job descriptions and titles, and the qualifications and skills actually required for a job. Clear understanding and accessible documentation of this information is fundamental to fair and efficient personnel practices.

### **Promotional opportunities**

It is also important to examine the occupational classifications of women employees in relation to possible promotions to ensure that women are not concentrated in jobs where no promotional opportunities exist. If this occurs it is likely to

- result in the under-utilisation of women's skills and talents;
- unfairly restrict advancement possibilities for these women.

In assessing the promotional opportunities for women within the institution, a number of factors should be examined including the following:

1. How is information on possible promotional opportunities made available throughout the institution?
2. Is the information on the skills, qualifications and experience required for a promotion easily available to interested employees?
3. Is information on the existing level of skills, qualifications and experience of employees made available, in a standardised form, to those responsible for the promotion decision?
4. Are on-the-job training schemes available to staff to upgrade their skills?
5. Are there procedures for heads of departments/schools and supervisors to make evaluations of the promotional possibilities in the structure of the institution open to staff in their section?
6. Are heads of departments/schools and supervisors on promotion committees requested to submit written reports when apparently qualified employees are passed over in promotion?
7. Are unsuccessful applicants given, on request, reasons why they have been passed over in promotion. Are there appropriate appeals procedures open to unsuccessful applicants?
8. Does peer evaluation disadvantage women in predominantly male fields of study/occupations?
9. Are career counselling services available to employees?



10. Are there any rules or requirements in existence which create invisible barriers hindering women from being promoted, and so continue systemic discrimination?
11. Are jobs offered to people outside the organisation, when with some retraining these positions could be offered to existing employees?
12. Is part-time work undervalued when assessed for promotion purposes? Are fractional appointments considered as lesser experience in promotion reviews?
13. Is the possession of overseas qualifications assumed to provide evidence of superior academic status?
14. Is excellence in teaching given due weight in academic promotions?
15. For academic promotion purposes is research in the area of women's studies, or that published in journals specialising in feminist thought, valued less than other research?

### **Transfer procedures**

The initial statistical analysis conducted by the organisation will have identified the jobs women currently occupy. If women are represented in a limited number of jobs, transfer and job rotation may extend their understanding of work in the institution and provide a means of advancement. An analysis of actual skills used in jobs in which women are located should enable productive transfer and job rotation schemes to be devised.

Experience gained when performing higher duties is often a consideration in subsequent promotion decisions. Analysis of actual skills used in jobs in which women are located should enable productive transfer and job rotation schemes to be devised. Opportunities to act in higher classifications should be offered no less to qualified women than to qualified men.

### **Seniority**

Some institutions operate a promotional system for general staff partly on the basis of seniority. This creates a pattern of systemic discrimination against women as it assumes an unbroken workforce participation. Women who leave the workforce for any period for child bearing and caring are disadvantaged by the operation of a seniority system.

Promotion by seniority is not an efficient management practice as it means that well qualified and talented people may be passed over in



favour of those who have been with the institution for a long time, regardless of their qualifications and skills. Factors relevant to efficiency, such as initiative, qualifications, capacity and skill to perform the job, are likely to be ignored when seniority is a guiding principle.

Some industrial awards and agreements made between trade unions and management have entrenched the consideration of seniority as a major factor for promotion. These awards and agreements may need to be reconsidered and reformulated in the light of their continued discriminatory impact on women. The question of seniority should not be confused with the issue of job security, which raises different issues and considerations.

### **Level of appointment**

There are indications that women at the time of appointment, do not bargain as effectively as men for classifications and salaries above the minimum of the advertised range. Therefore well qualified women may occupy lower salary levels or even lower status positions than their qualifications and experience would indicate. Although seniority premised on length of service is unlikely to be a major factor in academic promotions, salary at appointment may position staff in a form of ranking within classifications.

Questions of salary level or step within a grade should be considered with extreme caution in promotion discussions as this may perpetuate past disadvantages and reinforce systemic discrimination. Guidelines should be formulated to determine the level at which appointments are made within a given range.

## **STAFF DEVELOPMENT**

There are a number of formal means of offering opportunities for staff development including training courses, workshops, seminars and conferences and study leave. Participation in such programs or events enhances the possibility of advancement.

### **Internal training/development**

Women do not always enjoy the same opportunities as men for development in their employment because of incorrect or stereotyped assumptions made by employers about the working patterns of women and the length of time women intend to remain in the workforce. These assumptions take no account of the actual job performance or career ambitions of individual women.



It is not uncommon for employers or managers to assume that women employed in typing or clerical positions are not interested in filling any other job in the institution. Consequently, they may not have provided the information, facilities or opportunities for these women to participate in training programs. Female tutors or research assistants may be viewed similarly and may not have been provided with information on seminars and conferences which can be important to their career development. An affirmative action program requires that the skills, qualifications and ambitions of women employees be realistically assessed.

Staff should have available to them advice about how to obtain permanent/tenured positions.

### **Staff development, training courses and seminars**

Many institutions offer a variety of on-the-job training for their employees. After-hours staff development or training courses and seminars significantly reduce the number of women employees who are able to participate because of their child care or domestic responsibilities. Consideration should be given to providing training courses and seminars during normal working hours. This will reduce the systemic discrimination which may currently prejudice employment opportunities for women within the institution. For the same reason internal courses should be conducted in convenient locations.

### **Assessment of training and staff development opportunities**

In assessing the staff training and development opportunities for women within the institution attention should be given to the following factors:

1. How is information on internally offered staff development courses made known throughout the institution?
2. Is information on the content of the training courses, and the potential benefit they may provide to the career path of individual employees, easily available to all employees?
3. Are supervisors and other staff who are responsible for the selection of employees to attend training courses well aware of the institution's affirmative action program and the need to utilise fully all the talents and skills available to the organisation?
4. Are all staff encouraged by management to use all opportunities for training and development when they arise?
5. Are staff encouraged to self-nominate for courses which they believe will enhance their employment opportunities within the institution, rather than waiting for supervisors to nominate them?



6. Which classifications of staff are entitled to take study leave and conference leave and to apply for funding for overseas study programs and conferences and research grants?

### **Internal affirmative action training courses**

In order to assist in eliminating present discrimination and the effects of past discrimination in employment the institution may find it appropriate to develop special educational and training courses for women on staff.

The content of such courses will obviously vary enormously depending on the needs and activities of the organisation. The courses may consist of:

- information on the career potential available within the institution;
- provision of information on the duties and responsibilities of a variety of occupations within the organisation;
- job interview and application skills;
- the institution's commitment to and responsibilities in implementing the affirmative action program.

Other affirmative action training courses will be necessary for senior management and supervisory staff to ensure that they are fully aware of the organisation's affirmative action program and their responsibilities in its implementation. This ensures that all employees are aware of their functions under the program, and reduces uncertainty as to both the intention and content of the program.

All other general training courses conducted by the institution should contain an affirmative action component so that all employees fully understand the program.

### **External training/development**

Many organisations provide benefits to employees who undertake further education or training in relevant courses at tertiary or other educational institutions. These benefits may be a reimbursement of fees, book allowance, time off to attend classes or suchlike. All benefits should be provided no less to women than to men in comparable employment categories.

As with training offered within the institution, a number of questions should be addressed in assessing the external staff development and training opportunities for women including the following:



1. How is information on the availability of external training and staff development courses made known to individuals in relevant staff sectors in the institution?
2. How is information on the available benefits provided by the institution for staff undertaking external staff development courses disseminated throughout the institution?
3. Are all benefits provided to all employees equally, regardless of gender and the position currently held in the institution?

In granting various forms of leave for the purpose of study, preference is often given to submissions involving overseas or at least interstate travel. Staff with family responsibilities are less likely to apply for or be able to undertake study leave involving such travel. Women are particularly inhibited in this respect. While recognising the necessity, for specific purposes, to undertake overseas or more remote research and study, institutions should consider encouraging locally-based research and professional experience leave. Work carried out locally should not be accorded less prestige simply because it is local.

## **CONDITIONS OF EMPLOYMENT AND AVAILABILITY OF BENEFITS**

The conditions of employment for many staff in institutions of higher education are covered by awards. This is, however, not always the case for all categories of staff. In an affirmative action program it is important to review the conditions of employment and the employment benefits and opportunities for both women and men on staff.

### **Tenure and permanency**

For academics, access to tenure is an important condition of appointment. Tenure provides permanency.

A much higher percentage of male academic staff enjoys tenure than do their female colleagues. A review of the criteria for the granting of tenure and the conditions under which it is granted (fractional or full-time) and under what circumstances it can or must be relinquished, is an important part of the review of personnel policies and practices. While fractional tenured appointment might be appropriate for some staff during child rearing years, conditions under which they may revert to full-time appointment should be reviewed. Similarly, permanency rates for general staff and the circumstances under which staff are employed as temporary



(including those on annual renewal) should be reviewed. The statistical analysis will indicate the representation of women and men in such positions.

Similarly, there should be a review of casual positions which is an area of employment in which women tend to be heavily represented. This should include type of work, rates of pay and conditions of work.

### **Contract employment**

In many cases, academic and general staff are employed under contracts. Academic women may be employed on contracts up to five years in length. A number are reviewed annually. More than half of female academics are employed under these contracts. A significant number of women employed in keyboard and junior clerical positions on the general staff of institutions are contract employees.

Many of these staff members do not have access to all of the benefits enjoyed by tenured/permanent staff — superannuation, conference leave, forms of study leave, paid maternity leave. A review of the conditions of these contracts should form part of an institution's affirmative action program.

In the case of academic staff, a statement of minimum and maximum contact hours should be included in the contract.

### **External consultancies**

Members of staff employed in the higher education sector are often engaged as consultants by research companies, commercial organisations or government departments. The affirmative action program of an institution should extend to cover staff in external consultancies whether on a full- or part-time basis.

### **Permanent part-time work**

In certain circumstances the possibility of working on a part-time but permanent basis, with benefits enjoyed pro-rata, is likely to enhance employment opportunities for women. It is important to ensure that such part-time work does not diminish career opportunities or in any way disadvantage or marginalise women in the workplace. It may, for example, be possible to introduce reversible part-time employment for permanent full-time staff who wish to devote a substantial proportion of their time to child care or some other pursuit outside their paid employment in the institution. Reversion to full-time employment should be automatic after the agreed period has elapsed.



Similarly, part-time or fractional appointments could be made available, on a non-reversible basis, to both women and men for the period prior to retirement.

## **Leave**

In institutions of higher education leave provisions are usually covered in awards and formal agreements with trade unions. Women and men usually enjoy equal entitlements to recreation, sick, study and most other forms of leave. Maternity leave constitutes an obvious exception being available to women only. It commonly covers accouchement leave (relevant only to women) and leave taken to care for the infant (potentially relevant to either parent).

For a number of social reasons domestic and child care responsibilities weigh more heavily on women than on men. Due attention should be given to leave entitlements to mitigate any disadvantage in employment attendant on social expectations held of women in their domestic and maternal roles. For instance parental and parenting leave (cf accouchement leave) should be available to either parent. All staff sectors in an institution should have the same leave entitlements for child bearing and child caring.

## **Child Care**

Among the issues not specifically addressed in the legislation is the provision of child care services for both pre-school and school aged children — a critical and fundamental consideration if equality of employment opportunity is to be achieved for women. Access to good quality, affordable child care is an important issue for all workers with family responsibilities. Given the disproportionate share of such responsibilities borne by women, the issue is of most particular concern to female employees. Matters of child care should, therefore, be addressed as an integral part of affirmative action programs, and would include the following considerations:

1. The shortage of child care places, whether community-based or work-based, is a fundamental problem; the lack of places for children under two years is especially acute.
2. The restricted hours of operation of many child care centres poses problems for women working outside normal office hours. The problems are particularly pressing in the higher education sector where teaching, technical service and support responsibilities routinely extend outside the normal working day.
3. The availability of pre-school and school holiday child care enhance equal employment opportunity.



4. The costs of child care services constitute a barrier to equal employment opportunity and affirmative action programs. In the case of a couple in which both parents work and are therefore likely to be ineligible for fee relief the high costs may prompt one parent either to reduce working hours or temporarily drop out of work. Given social expectations concerning child caring roles it is probably women whose employment is dislocated.

### **Composition of committees**

An important feature of higher education institutions is their reliance on participatory committees for a significant proportion of their administrative, as well as academic, functioning.

The ability to participate in these decision-making committees is usually related to a staff member's rank. In some cases the existing eligibility requirements may totally exclude women from membership. As in the appointment/selection process, the criteria for membership of committees should always be related clearly to the task to be performed. Rank may not be the most suitable criterion for committee membership.

Consideration should also be given to the nature of the nomination process and the operation of the information and support networks from which women are often excluded.

A number of institutions have adopted policies which require that a minimum of one woman be appointed to all committees. 'Tokenism', however, serves to marginalise the woman member's ability to contribute effectively to the committee's deliberations and must be avoided. A few institutions have policies which seek to achieve an equitable representation of women and men on all committees.

Any review of an institution's policies and practices would need to examine the participation of women on these bodies and the formal and informal practices surrounding selection and nomination.

Part-time workers are often excluded from decision-making processes, either formally or at a practical level. Consideration should be given to ways of incorporating members of the part-time staff either on relevant committees or in informal decision-making.

### **Overtime, bonuses etc.**

There are many other issues which also require attention, particularly with reference to general staff. They include:



- the availability of overtime;
- the allocation of bonuses;
- the system of casual work;
- the undervaluing of certain skills.



# **SETTING OBJECTIVES AND FORWARD ESTIMATES**

In the context of affirmative action, objectives are expressions of general principle and intent. They may have a broad or specific focus within the institution. They direct the institution's approaches to the implementation of affirmative action in a number of different areas — they can be of short-, medium- or long-term range.

While objectives refer essentially to qualitative measures and aims, forward estimates refer to quantitative measures and aims which are the institution's best estimates of what can be achieved in a stated time frame. They frequently represent short-term objectives to meet a long-term goal and can cover a small area of an organisation's activities and relate to a broader objective. Forward estimates may be represented in numerical terms, either as a figure or a percentage of an overall figure.

The purpose of an affirmative action program is to eliminate discrimination in employment so that women have employment opportunities equal to those open to men. In making the best use of available talent and skill and by increasing organisational efficiency they will also serve the interests of the institution as a whole. For this reason they should be acknowledged as objectives of the institution and endorsed by the chief executive.

Consultation, reviews and analyses undertaken in an affirmative action program are likely to identify forms and patterns of discrimination against women in their employment. An institution will find it useful to formulate specific objectives in order to remedy the discrimination disclosed and indeed the legislation requires that objectives and forward estimates be set.

It may be helpful to divide the objectives into broad categories such as:

- the elimination of discriminatory employment policies and practices;
- the reform of personnel practices and conditions of employment which deny equality of opportunity; the provision of programs to remedy the effects of past discrimination;
- the development of career opportunities for women;
- the education of staff on principles of equality of employment opportunity and the need for affirmative action;



- the promotion of changes in attitudes in accordance with these principles.

The objectives determined to achieve these broad goals should be specific and the means for achieving them closely identified.

The most pressing and disadvantaging forms of discrimination should receive the earliest attention. It is also important to recognise the positive effects of success in achieving affirmative action goals. Hence it is likely to be advantageous to pursue objectives which promise swift and successful outcomes.

The ways in which affirmative action programs are developed and implemented will inevitably differ from one institution to another. Some may seek to effect changes over a broadly ranging front, others will focus more closely on few issues at any one time.

The organisational structures and functions of an institution are not static and employment considerations bearing on the formulation of objectives will vary over time. Certainly the enactment of an affirmative action program is likely to generate change with effects throughout the institution. Whatever the institutional approach to the development and implementation of an affirmative action program there will be a need for some time to reappraise and/or set new objectives.

It will assist in establishing an effective affirmative action program if organisations specify in each case:

- the overall objective to be achieved;
- the specific objective, which may be further specified as a forward estimate;
- the group the objective will affect (ie, the target group);
- the actions to be taken to achieve the objective or forward estimate;
- the person(s) within the organisation responsible for each action and the strategy as a whole;
- a realistic date(s) or timetable by which the action should be completed;
- the evaluation procedure to determine the success of these actions.

Specific objectives should be carefully developed and form a comprehensive and integrated plan of action.



# **MONITORING AND EVALUATION PROCEDURES**

Institutions will need to conduct an annual review of the operation of an affirmative action program to monitor and evaluate the progress of the program and to set the objectives and forward estimates to be met in the forthcoming year.

The process of establishing objectives and forward estimates is an important part of the annual monitoring and evaluation process. It means that the progress of the program can easily be recorded by reference to the stated goals and an assessment of whether those goals have been achieved, and whether the methods adopted have been successful.

When specific objectives of affirmative action have been met the program can be developed and new objectives set. If the objectives and forward estimates have not been met, then the institution needs to determine why this has occurred and to develop new strategies to overcome the problems identified.

Such monitoring and evaluation procedures are important:

- in terms of the success of the program;
- in affording considerable educational benefit;
- in providing useful information on the organisation of the institution thereby improving levels of efficiency.



# EXAMPLES

This section includes a number of examples of ways in which various steps in an affirmative action program may be undertaken. Again it is important to note that institutions should follow courses in ways they identify as the most appropriate.

## Example: Policy Statement

### Memorandum

**To:** All Staff Members  
**From:** The Director  
**Subject:** Affirmative Action Program

The College is committed to the goal of freedom from discrimination and supports the need for an active approach to the achievement of equal opportunity in employment. Failure to address the problem of discrimination runs counter to the pursuit of excellence.

Reflecting its commitment to equality of opportunity in employment and in accordance with the *Affirmative Action (Equal Employment Opportunity for Women) Act 1986* the College supports a policy of affirmative action and the development and implementation of an affirmative action program.

The program will be designed to ensure that all employees and applicants for employment are treated according to their skills, qualifications, abilities and aptitudes, without regard to irrelevant factors. It will draw on a statistical analysis of all sections of the College workforce to identify the employment patterns of women and men at the College.

There will also be a review of personnel policies and practices in the areas of recruitment, selection and appointment, promotion, staff development and training, conditions of service and termination of employment.

A series of objectives and strategies will then be developed to address identified problem areas. Procedures for monitoring the program will be formulated and reports to Council and staff will be issued annually.

The program will be developed and implemented in consultation with staff members, particularly women on staff, and with unions operating in the College.



As Affirmative Action Co-ordinator I am responsible for the development and implementation of the affirmative action program. An Equal Opportunity Consultative Committee has been established and Ms X has been appointed as Affirmative Action Officer with the responsibility of preparing the details of the program and providing advice and assistance to staff members. Any member of the Committee or the Affirmative Action Officer may be contacted for further information about equal employment opportunity matters within the College.

While the Consultative Committee will also have an advisory role and is charged with recommending to Council the policies necessary for the development and implementation of equality of opportunity within the College, the success of the program depends on the co-operation of the whole College community. We have both legal and moral obligations in providing equality of opportunity and a workplace free from discrimination.

I call upon the College community to co-operate in making equal employment opportunity a reality.

Signed .....

Date .....

The institution may choose to issue its policy statement on affirmative action in the form of a letter, a memorandum or a pamphlet.

### **Example: Basic Data for Statistical Analysis**

Institutions with computerised personnel and payroll systems should be able to supply the following:

- total number of employees on a full- and part-time (including temporary) basis and the percentage of women;
- total number and percentage of women in the separate categories of full- and part-time employment and in temporary and contract employment;
- the number and percentage of women in each position category in the various staff divisions; for example, academic, technical and general;
- the number and percentage of women employed in senior positions in the various staff divisions;



- the salary ranges of position categories;
- the number of women and men promoted to each position category;
- the success rates of women and men seeking promotion from each position category.

It may also be possible to produce:

- the average number of years of employment of women and of men in each position category;
- the average age of women and men in each position;
- the educational qualifications of staff members.

### **Example: Setting Objectives and Forward Estimates**

A series of possible approaches to setting objectives or forward estimates in various aspects of employment is set out below.

#### *In recruitment procedures:*

- to review periodically selection criteria for jobs where women are under-utilised to ensure that the criteria are based only on the skills and qualifications required to perform the job;
- to review existing job qualification requirements to ensure that they are necessary for, and relevant to, the work to be performed;
- to adopt a policy that all job advertisements carry the words "women and men are encouraged to apply" or "x college has an affirmative action program for women";
- to review all job application forms to ensure that they require only information which is directly job-related and cannot be used as a basis for a discriminatory decision.

#### *In selection procedures:*

- to ensure that all written tests require only information which is directly job-related and that information is provided to all applicants on the type of material to be covered in a written test;
- to include women on all interviewing and selection committees;
- to develop non-discriminatory interviewing guidelines and the provision of training courses on their use for selection personnel;
- to ensure all candidates are provided with information on the selection criteria to be used for appointment.



*In promotion procedures:*

- to review principles and practices of promotion for academic staff ensuring that teaching is accorded proper weight in the set of criteria for promotion formally recorded and informally applied;
- to recognise that skills, qualifications and capacity to perform the job outweigh issues of seniority as criteria for promotion;
- to identify occupations with little or no career opportunities and examine the possibility of promotion or transfer to related occupations with career paths;
- to provide special training opportunities for employees working in areas with limited promotional opportunities and encourage employees to broaden their skills and qualifications to enable them to transfer to other positions;
- to ensure that information on all promotional opportunities within the organisation and the skills, qualifications and experience required to fill the jobs, is circulated as widely as possible throughout the organisation.

*In transfer and rotation procedures:*

- to circulate information to all women employees within limited-career occupations informing them of the operation of transfer and job rotation schemes and encouraging them to apply;
- to review eligibility for transfer and job rotation schemes and establish guidelines for managers and supervisors with the aim of increasing the participation rate of women;
- to improve promotional opportunities for keyboard staff by providing opportunities to develop a broader range of skills by undertaking some clerical duties;
- to investigate staff exchange possibilities in other tertiary institutions, the public service or statutory authorities and provide encouragement to women who would benefit from such an exchange.

*In training and staff development procedures:*

- to review all training programs to evaluate the occupations and status of employees who are encouraged to apply and who undertake training;
- to encourage women to apply for internal training courses and, if necessary, review nomination procedures for such courses to include self-nomination procedures;



- to establish special training programs for women in areas such as career development, interview techniques, application skills, etc.;
- to ensure that all staff training and development courses include a component on the organisation's affirmative action program, the effect of systemic discrimination on women employees within the organisation, and the progress of the development and implementation of the program.

*In the employment of part-time and casual staff:*

- to ensure that part-time and casual staff are informed of the job opportunities available for full-time work within the institution;
- to review the selection process of full-time staff to ensure that recognition is given to the skills and qualifications of part-time and casual staff, in particular in relation to their knowledge of the operations of the organisation and their past role in the organisation;
- to make available revertible fractional appointments for staff with child rearing responsibilities and the establishment of procedures to review these positions regularly.

*In retrenchment procedures:*

- to review existing retrenchment policies or agreements to ensure that they do not have direct or indirect discriminatory impact on women employees;
- to incorporate objective guidelines into retrenchment practices, so that decisions are made on the basis of objective guidelines, not on the application of subjective criteria about any individual's or group's perceived right to continue to work.

*In analysing the benefits of employment:*

- to identify the child care needs of staff members and review child care provisions to ensure that adequate facilities are available, accessible and affordable.

## **Example: Monitoring and Evaluation Procedures**

The following is an example of the type of material that might be covered in the annual assessment of an imaginary institution.

- the forward estimate of increasing the recruitment of women as trainee operators by 20% was achieved, and a new target of a further increase of 25% is set for the forthcoming year;



- the objective of breaking down the barriers for promotion from the positions of junior clerk, typist, stenographer and word processor operator has only been partially achieved, further training sessions are being conducted for these employees and for supervisory staff to ensure all employees are fully aware of the objective and the reasons for its formulation. Information on further job opportunities which exist within the institution will be distributed to all employees who may be interested or affected;
- the rules relating to promotion have been reviewed and negotiations are currently being undertaken with X and Y trade unions to develop a new set of rules and guidelines so that seniority is no longer the major criterion for promotion;
- the rules relating to part-time parental (cf accouchement) leave have been reviewed and negotiations for a change in leave provisions are underway with X and Y trade unions. The intention is to allow either mother or father to take leave to care for an infant on a part-time basis without prejudice to career;
- the guidelines for the job-rotation program have been reviewed and it was ascertained that they created an invisible barrier against most women employees, particularly those employed as keyboard operators. New guidelines have been developed by the personnel department and these have been widely circulated. Women employees were provided with an information bulletin setting out the new guidelines and the positions which are available on the job-rotation program. The bulletin included a message from the chief executive specifically addressed to women employees setting out the benefits of the program for both them and the organisation and encouraging them seriously to consider these opportunities. There has been a 30% increase in the number of women registering for the program and another 15 will take part within the next four months. In the forthcoming year, the objective is to issue another staff bulletin containing information on the success of the program, with information on the women who have obtained promotions or different positions as a result of being part of the program and encouraging more women to apply.



**The Affirmative Action Agency  
wishes you success  
in your affirmative action  
program**