



Women's Electoral Lobby Australia Inc.

66 Albion St, Surry Hills 2010

Contact Eva Cox Chair 02 9660 3028 eva.cox@uts.edu.au

Contact this submission Secretary <kentwell@aapt.net.au>

Women's Electoral Lobby Australia Submission to the Advisory Group on Reform of the Australian Government Administration

WEL Australia (WELA) has a long interest in public service and policy issues and therefore is concerned that any reform builds on the structures we were involved in lobbying for that made the APS a world leader on gender inclusion and effective management, WELA considers that questions of gender equity and inclusion are crucial to good public sector management. This does not only involve having a high proportion of women in the service or even at middle management and senior levels, but ensuring that the contribution they make at all levels are valued and effectively used by the service.

The questions raised in the Advisory Group's Discussion Paper about improving the Australian Public Service (APS) capacities for creative, innovative policy advice and increased risk taking suggest that effective use of the diversity of the APS may not be as strong as it could be. The gender pay gap, while smaller than in other areas, may reflect some differences in judgement of skills as well as time served. The continued gender differences at the most senior levels suggests that and the continued gender segregation between departments suggests that there are still gendered assumptions that can limit the best practice use of female experiences and skills.

Section 1: State of the Service Report

The figures from the Australian Public Service Commission's *State of the Service Report 2007-08*, in Appendix A below indicate that the skills and experiences of women are not effectively used across the various departments and agencies. The Report uses data from the APS Employment Database (APSED) that is maintained by the Commission.

The figures show continuing differences in employment levels, salaries and responsibilities that cannot be appropriately explained by individual choices or just differences in length of service. On all types of indicators they are worse off. While women are 57.6% of total APS employment they are more likely to be employed on a non-ongoing basis. They are more likely to work part-time which is still seen as less valuable than full time work in relation to promotion. There are more women at lower classifications, there are higher proportions of women in the "softer" agencies, the median remuneration level for women is lower than that for men at all classification levels except APS 4, and women are more likely to complain about harassment and bullying. Although they are increasing in the SES, they are still only 37% of the SES and mainly in the lower grades.

The data shows the current APS offers mixed results for women that suggest under-use of the many skills they offer. This indicates that there needs to be some serious thinking about the reasons for the differences. While there has been continuing change, the lack of senior women and the continued gender imbalances suggest that these skewed usages will not disappear without some firm action. The results of the Commission's employee survey on harassment and bullying are very worrying and point to the need for urgent action in certain agencies.

Two other EEO targeted groups are also still having difficulties: the proportion of Indigenous employees is not increasing and the proportion of people with disabilities (PWD) has dropped. It is not possible to comment separately on women in these groups as none of the data provided was divided into male and female employees. The not so good outcomes for these groups reinforce the evidence for structural issues that need addressing, particularly for women in these groups.

The material from the Government's own agency suggests that there is far too limited diversity in the Public Services and this counters the commitment to upgrading the quality of performance and advice that is driving the Review. It is an essential basis for any serious attempt to achieve optimum skills and creativity that the recruitment must draw on the full spectrum of the population. Failing to reflect the diversity of the population is a signal that biases continue to both limit the recruitment base unfairly and risk loss of both talent and ideas.

WELA also notes that the annual State of the Service reports provide no statistics disaggregated by gender for matters such as:

- Promotions, including the number of women applying for promotion versus the number of women promoted;
- Why qualified women are not promoted;
- Active measures to combat ageism particularly that directed towards older women;
- Numbers of women, particularly older women, undertaking first and post-first careers/jobs in the APS;
- Women in non-traditional jobs; and
- Representation of women by level in the States and Territories, and further disaggregated by regional and rural areas.

This points to the fact that statistical analysis in the State of the Service reports deals with gender issues at only the highest level of interpretation and that more detailed research/case studies on the impact of Workplace Diversity Programs to improve all aspects of women's working lives in the APS throughout the country have not been undertaken.

Not only statistics

WELA remains cautious about use of participation statistics alone to demonstrate success in attaining satisfactory levels of women's employment in the APS. The objective of the original EEO programs was to increase the number of women employed, to improve their status through increased representation at senior classifications and to increase their presence across a wide range of occupational

classifications including in non-traditional areas of female employment. These steps, however, were intended to increase women's influence on better policy and program outcomes, break down barriers and achieve financial independence or contribute to family finances. Increased numbers cannot be seen as an end in itself.

What women also seek today is an APS workforce that has an adaptable, flexible culture in which women can participate equally and be treated as equals, both in day-to-day operations and for promotion. The APS can only benefit from having the skills and talents of a diverse female workforce, where the environment and workplace culture permits them to be contributed, in its daily operations. SES statistics disaggregated by gender, for instance, reveal nothing about how "female" or "reformed" the culture of the APS is in its essentials.

When it comes to equal employment opportunity for women, WELA is also wary of the use of imprecise, managerial language used over the last twenty years that marks the production of carefully drafted strategy documents and misleading, often crude, benchmarking. These are no substitutes for the implementation of practical measures to improve the daily work experiences of women in the APS, to acquire their due reward and create women-oriented, satisfying workplaces.

Section 2: Women and APS Workplace Culture

Today's APS cultures are as varied as the number of agencies. Trying to forge a single APS identity across such a diverse range of ways of operating; functions; work content; skills requirements and locations across the nation is a largely pointless, if not impossible, task. Women are much more likely to respond to their local workplace culture as led by their managers and supervisors rather than identify with a theoretical label like "the Australian Public Service", particularly outside Canberra.

The experiences and satisfaction of women in APS workplaces varies according to many factors. Their expectations vary according to their circumstances and stage of their lives and careers. Some simply seek a job, or a job in a convenient location or near to their place of residence; some seek good working conditions like paid maternity leave, flexible working hours or high, secure wages; some seek work-based childcare; some seek to work part-time; some seek satisfying work and opportunities to develop; others aspire to reach the top. But all women in the APS expect to be treated fairly and equally. Moreover, they are well aware when this is not the case.

WELA continues to have concerns about three major aspects of APS culture and structure which are important to the Australian Government's women workers, their wellbeing and opportunities for advancement and, ultimately, to the quality of the APS's work.

(i) Unequal Workplaces

The characteristics of unequal public service workplaces are: enforced conformity; unequal allocation of work; reaction; lack of mobility; overt favouritism; expectations and deals on promotion and the allocation of higher duties allowances; non-permission to express independent opinions; closed communication channels; incapacity to resolve staffing problems and conflict before they become major issues;

lack of respect for individuals and privacy; lack of autonomy and ethics in operations and decision-making; sexism and inappropriate behaviour between male and female staff. Bullying and harassment often occur in such workplaces, many of which have an overt or covert male corporate culture featuring competition, aggression and male or sports-based language. The preferred style of senior executives is reflected and copied in these workplaces. Some of these workplaces may even have a reasonable or good representation of women in senior jobs. They are places where women generally do not flourish.

WELA emphasises that unequal, badly managed workplaces that do not use the skills of their female staff are highly unlikely to perform as the Government wants them to, that is: innovatively; strategically; flexibly; able to meet challenges; producing creative policy; with high standards of service delivery; and efficiently with significantly fewer bad decisions or behaviour affecting public trust. WELA suggests that if inequality and unfairness in workplaces is addressed first of all, then more enthusiastic performance with improved outcomes will follow.

Recommendation 1

The APSC to undertake case studies of known “male cultures” in APS departments, including those where there are women in senior jobs, and make recommendations for improvement. Affected CEOs to demonstrate substantial, effective changes to obtain performance bonuses.

(ii) Discrimination Against Older Female Staff

There is widespread evidence of poor attitudes towards older women workers. They are often described as “trouble makers” or “unable to adapt to the prevailing culture”. While this also affects older men employed in the APS, ageism is particularly directed at older women who are regularly overlooked for promotion or transfer, especially if they have worked in the APS for some time, and for the best work or development opportunities in a particular work area. Many women are expected to do difficult, complex or unpopular tasks with fewer staff and financial resources than are given to men, and to be uncomplaining. Their work is taken for granted, unrecognised and unrewarded, for example by payment of performance bonuses or through other non-monetary means.

Inflexibility and non-cooperation is still a common occurrence for women wanting to work part-time at any stage of their careers. This can also occur as they start to deal with the symptoms of menopause and/or may desire to work fewer hours per week before retirement. WELA notes that many of today’s older female workers came into the APS in the 1970s and 1980s so will be nearing the final stages of their working lives. Changes also need to be made to APS superannuation schemes where pensions are calculated on the final three years of salary so that women wanting to work part-time immediately before retirement are not faced with financial disincentives affecting retirement income if they do so.

Recommendation 2

The APSC to commission a study of ageism in the APS as it affects both women and men and introduce specific programs and monitoring aimed at combating it.

Recommendation 3

The Department of Finance and Deregulation to take the lead in examining the provisions of the Commonwealth superannuation schemes to ensure that they do not create financial disincentives to part-time work immediately prior to retirement.

Recommendation 4

The APSC to review whether the 18 month limit on non ongoing employment affects women's employment with a view to extending it in certain circumstances, for example, prior to retirement.

(iii) Inefficient Work Practices and Decision-Making

Efficiency and innovation are unlikely to occur in unequal workplaces because the diverse skills available there are not used. This includes women's skills and perspectives brought from home and life experience.

A large amount of unnecessary and wasted work is done in the APS, particularly in Canberra. The effort that goes in and the large amount of political work done by APS staff, as well as the high capacities of the people doing this work, could be better directed towards policy and program development, consultations with the public, staff development and training etc.

There is also a large amount of bureaucracy and paperwork associated with increased accountability causing delays that practical women find enervating. Women will be more motivated to do a good job if they can get on with the task instead of constantly having to put their energy into seeking approvals up the line and perfecting ways of getting things done "in spite of the system". Inefficiency and unfairness coupled with unequal treatment can lead women to have very high levels of frustration with public service work.

Inefficient work practices are being compounded by a trend toward lower quality working conditions. Increasing emphasis is now being placed on reduced space and privacy for each worker as a means of reducing costs. Such moves treat workers as inconvenient resource consumers rather than individuals. Women are attracted and retained by job appropriate, comfortable working conditions. This should be a factor in decisions to reduce APS property costs.

The style of lawyers - always adversarial, rarely conciliatory - having the hallmarks of the worst male behaviours, has become overly influential in today's APS. Some agencies are unable to make discretionary administrative decisions without lawyers' input in case they make a mistake. This results in massive costs, aggressive behaviour towards the public and prolonged, often unnecessary, legal battles that adversely affect the Australian Government's reputation.

The undue influence of legal process has blotted out the opportunity for more female styles of decision making featuring compassion, fairness and fast turnaround to emerge as increased numbers of women have occupied decision-making jobs over the last twenty years. Women have greater ability than men, on the whole, to see the claimant's point of view, to spot overly punitive attitudes and actions, and to identify

systemic discrimination. They also tend to deal and communicate with the public in ways that have more regard for their feelings and dignity.

APS mistakes affecting the general public and taxpayers should be quickly admitted and addressed, including appropriate financial redress. This is also a cultural issue stemming from the fears of individual staff that they will be blamed for not mounting vigorous defences especially if the matter goes public, not protecting the Minister or the Secretary (significantly evident among SES officers with unattractive flow-on effects) and similar considerations. Women are more likely to take a problem-solving rather than a no-blame approach to representations from the public and in dealing with appeals. Delegation of more work/decisions from the SES to EL2 and 1 levels, where there are more women, will also ensure that they gain more experience before applying for promotion.

Serious attention should be paid to combating burnout later in careers so that skilled and experienced staff do not become bored, if not also disillusioned, when they get their final promotion. This is a widespread problem at the EL1/2 level, where many women are becoming stranded if the SES is not open to them, and for women working outside Canberra who may have few/no mobility options. Creation of policy hubs and multi-agency taskforces, and exploring the use of technology for participation in such groups, may be ways to address this problem.

Recommendation 5

Work content and distribution in the APS to be examined by the APSC and DEEWR to ensure that work/decisions are delegated to as low an operational level as possible to engage more junior staff

Recommendation 6

The Department of Finance and Deregulation to review the task-appropriate accommodation needs of the APS workforce and report on the non-financial implications of proposed property cost reductions to its Minister, particularly as they affect women.

Recommendation 7

Routine administrative decision-making to be undertaken by administrators, particularly women decision-makers, without legal input or oversight.

Recommendation 8

The size, work content and influence of legal areas in all APS agencies should be examined by the APSC and the Attorney-General's Department with recommendations for down-sizing and decision-process redesign. Affected CEOs to be responsible for implementation.

Section 3: Legal and administrative changes

In 1984 the Public Service Act 1922 was amended to require departments to establish and implement Equal Employment Opportunity Programs for women, Aboriginals and Torres Strait Islanders, migrants from non-English speaking backgrounds and

their children and people with physical or mental disabilities. The EEO Bureau in the Public Service Board produced guidelines on EEO programs and assisted departments with their development, both in Canberra and the regions. The Board's regional offices also ran highly successful recruitment programs for PWD and Aboriginals.

In 1987 the Public Service Board was abolished and the Public Service Commission was established. The Commission continued to provide EEO leadership but did not have a presence in the regions or run recruitment programs. The reporting arrangements for departments and agencies with approved EEO programs were streamlined and the Commission produced revised guidelines and new strategies for EEO in the 1990s.

In 1997 and 1998 the Public Service Commissioner drew attention to the proposed changes to the existing EEO arrangements contained in the Public Service Bill that was before Parliament. While building on EEO principles, the new act was to include the much wider concept of workplace diversity to ensure that all Australians had equal access to APS employment and that the APS has access to talented people from all backgrounds.

The new Public Service Act came into force in 1999 and contains four Values that specifically refer to diversity

Section 10 (1)

- (c) the APS provides a workplace that is free from discrimination and recognises and utilises the diversity of the Australian Community that it serves;
- (g) the APS delivers services fairly, effectively, impartially and courtesy to the Australian public and is sensitive to the diversity of the Australian public;
- (j) the APS provides a fair, flexible, safe and rewarding workplace;
- (l) the APS promotes equity in employment.

Under section 18 an Agency Head must establish a workplace diversity program (WDP) to assist in giving effect to the APS Values. The Commissioner is required to issue Directions to give effect to the Values; Chapter 3 elaborates on the requirements for WPDs.

Prior to and following the passage of the new Act the Commission worked actively with agencies to explain these new requirements and that the concept of workplace diversity included the principles of EEO and the groups previously covered in the Public Service Act 1922. Working with agencies the Commission produced guidelines and training material, provided advice to individual agencies on request, circulated an email newsletter to member of the Workplace Diversity Co-ordinators Network and promoted successful workplace diversity initiatives through annual Workplace Diversity Awards.

The Commission's Workplace Diversity Report for 1999-00 showed that of the 86 agencies covered by the Commissioner's 1998 guidelines on *Managing Workplace Diversity*, 85 had lodged a WPD with the Commission by 30 June 2000. However, the Commission cautioned that WPDs must be kept constantly under review to reflect changes in the work environment.

However, it is clear that the initial enthusiasm for WPDs has waned. The *State of the Service Report 2007-08* shows that the Commission asked agencies whether they had a WPD in place. While more than three-quarters (77%) of agencies said that they had, 19% said their program was still being developed and 4% of agencies did not have one at all.

Of those agencies that did have a WPD, 36% said it was currently being reviewed and 34% said their program was reviewed in the past two years. Ten per cent of agencies said their program had never been reviewed.

The Commission commented that this "indicates that, despite workplace diversity being on the APS agenda for more than a decade, a minority of agencies have not yet fully embraced the concept by having a programme in place". However, the Commission is silent on whether or not existing programs are being implemented or effective.

Consistent with the devolution of human resource management to agencies which occurred in the 1980s and 1990s, individual agencies no longer report to the Commission, its role is to monitor and report on Service-wide outcomes as shown in the earlier section of this submission. Whether agencies pay any attention to its findings is a moot point. Examination of the Commission's Annual Report 2008-09 showed that it no longer takes the active helping and leadership role in relation to workplace diversity that was evident a decade ago. An exception is its promotion of an Indigenous employment strategy and support for some initiatives for PWD. Support for specific initiatives for women appears to have gone.

The Advisory Group's discussion paper (page 40) drew attention to another change that has occurred over the past decade with devolution of responsibility to agencies. This is 'an increasing lack of maintenance of the APS-wide classification system'....'classification creep and erosion of in the work level standards underpinning the classification system appear to have distorted the system.' This can have consequences for pay equity and the value placed on women's work in 'feminised' agencies. The contraction in the number of base-grade jobs that has occurred in this period, combined with a preference for graduates, has reduced options for the employment of PWD and Indigenous employees.

What could be changed? A strategic approach for the next decade

There appears to be a common view that now that the number of women employed in the APS has increased, and continues to increase, there is not a problem. This is a misconception as can be seen by examining the issues identified earlier in the submission. Another common misconception, that must be corrected, is that workplace diversity is for members of minority groups and does not include women.

Workplace diversity appears to have slipped off the agenda in many agencies, perhaps thinking that this is a program from a previous government and not relevant today. Many new starters may think that it never existed at all.

What is needed is a new approach, a new strategy to carry workplace diversity forward into the next decade. The strategy should emphasize the important role of workplace diversity in policy and program development as well as service delivery. The link with Government programs for women and members of other groups should be made clear.

The Department of Prime Minister and Cabinet and the Australian Public Service Commission should take the lead role in its development, consulting widely with Agencies, unions and employees in Canberra and the regions. Innovative and creative ways of raising awareness of workplace diversity should be sought as well as possible solutions to identified problems.

The Prime Minister, as the Minister responsible for the Public Service Act, would launch the strategy to emphasise its importance to Agency Heads.

The strategy would need to be reviewed annually to assess progress and assure its relevance to current conditions. Experience has shown that that new approaches are needed in this area every 5-10 years and it is likely that an entirely new strategy would have to be developed after five or so years.

As has been shown in this submission, the devolution of responsibility for human resource management to Agencies in the 1980s and 1990s has resulted in mixed to poor results for EEO and workplace diversity. This will need to be rectified in the strategy.

The Public Service Commission should be give powers to take a more proactive role, seeking reports from Agencies where necessary and naming non-compliant agencies in its Annual Report. The Commission should also resume its role of providing leadership and assistance to Agencies and be given adequate resources to do so.

Recommendation 9

WELA recommends that:

- **a new strategy be developed to carry workplace diversity forward into the next decade;**
- **the strategy be reviewed annually;**
- **the strategy contain strengthened reporting arrangements and sanctions for non-compliant Agencies; and**
- **the Australian Public Service Commission be given an enhanced role with adequate resources to carry it out.**

Section 4: The Status of Women

The Government's Office for Women (OfW) website states that the OfW "provides high level advice to the Minister for the Status of Women, administers programmes, including programmes to combat domestic violence and sexual assault; advises on legislative issues relating to women; provides the principal focus on consultation between the women's sector and government; and represents government at national and international forums on women's issues."

Since 1973, the Government's official women's advisory body, known by various names, and currently called the Office for Women, has played a major role in government, at the national, local and international levels for many years, and has often been seen as a world leader in the area of women's issues. It is widely recognised for its continuing work, however there are a number of concerns within both government and community sectors about issues that affect the work and status of the Office.

The Office for Women was originally placed within the Department of Prime Minister and Cabinet, with the Prime Minister taking responsibility for the status of women. The Office is currently placed within the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA). The Minister for the Status of Women does not sit within Cabinet and is reliant on the Minister for FaHCSIA taking women's issues to Cabinet.

In order to ensure a whole of government approach and to provide an increased profile for women's issues, it is recommended that the Prime Minister has responsibility for women's issues within Cabinet and that the Office is moved to the Department of Prime Minister and Cabinet.

While the Minister is titled "the Minister for the Status of Women", the Office is now called "the Office for Women". This is seen as a lessening of the role of the Office and it is strongly recommended that it be renamed "the Office for the Status of Women".

The Head of OfW, a First Assistant Secretary, is currently responsible for additional areas other than women's issues within FaHCSIA. However it is recommended that the status and responsibilities of the Office be recognised with its own dedicated First Assistant Secretary.

The FaHCSIA website states that 'the OfW has strengthened its role in advising Government agencies on the gender dimensions of policy and program development and implementation. For example, the Office for Women now provides advice on the gender dimensions of policy submissions to Cabinet Ministers, to ensure gender equality is considered in the early stages of policy development. This represents a key step in ensuring gender mainstreaming is implemented across Government'.

In order to ensure that the impact of **all** government decisions and policies are taken into account in all matters going to Cabinet it is recommended that a Women's Impact Statement should form a compulsory part of all Cabinet Submissions.

There has been a growing concern since the Women's Budget Statement ceased to be published that there is a lack of whole of government accountability. WELA recommends that a Service-wide Women's Budget Statement be produced as part of the annual Budget documents, to provide a detailed analysis of the whole budget. It is also seen as important that there be a Women's Budget Statement to ensure all government agencies recognise their responsibilities in this area.

The Office is currently handling a large number of responsibilities, with the recent welcome addition of a focus on more policy and strategic work, however the Office has been extremely understaffed and under resourced for some years. If it is to perform the work of the Government and meet its commitments, it is recommended that the number of staff and resources, including financial resources, be substantially increased.

Recommendation 10

The Prime Minister be responsible for the Status of Women and that the present Minister for the Status of Women becomes the Minister Assisting the Prime Minister for the Status of Women.

Recommendation 11

The Office for Women be renamed the Office for the Status of Women and be placed within the Department of Prime Minister and Cabinet -

- **there be a First Assistant Secretary position dedicated only to the work of the Office for the Status of Women; and**
- **additional resources, including financial and staffing resources, be provided to enable the Office for the Status of Women to undertake its functions.**

Recommendation 12

A Women's Impact Statement form a compulsory part of all Cabinet Submissions.

Recommendation 13

A Service-wide Women's Budget Statement be produced as part of the annual Budget documents.

Appendix A: Data from the Australian Public Service Commission's State of the Service Report 2007-08

Male and Female Employment

Chapter 2: *Workforce Profile* provides the following information (emphasis added).

There were 160,011 APS employees at June 2008, ongoing employees numbered 147,598 and non-ongoing 12,413. Over one-third (36%) of ongoing employees are located in Canberra.

Women have outnumbered men in the APS since 1999. During 2007–08, the proportion women continued to increase and they accounted for 60% of entrants to the APS.

Women now comprise 57.6% of total APS employment.

However.... women are more likely to be employed on a non-ongoing basis. At June 2008, 62.8% of non-ongoing employees were women compared with 57.1% of ongoing employees.

Variation between agencies

Despite growing levels of female employment across the APS, there is still considerable variation between agencies in the proportional representation of men and women. Of agencies with more than 1,000 ongoing employees, Medicare (80.9%) had the highest proportion of women, followed by DHS (75.5%). Large agencies with the highest proportion of men were the Bureau of Meteorology (BoM) (78.7%) and Defence (60.8%).

Part-time Employment

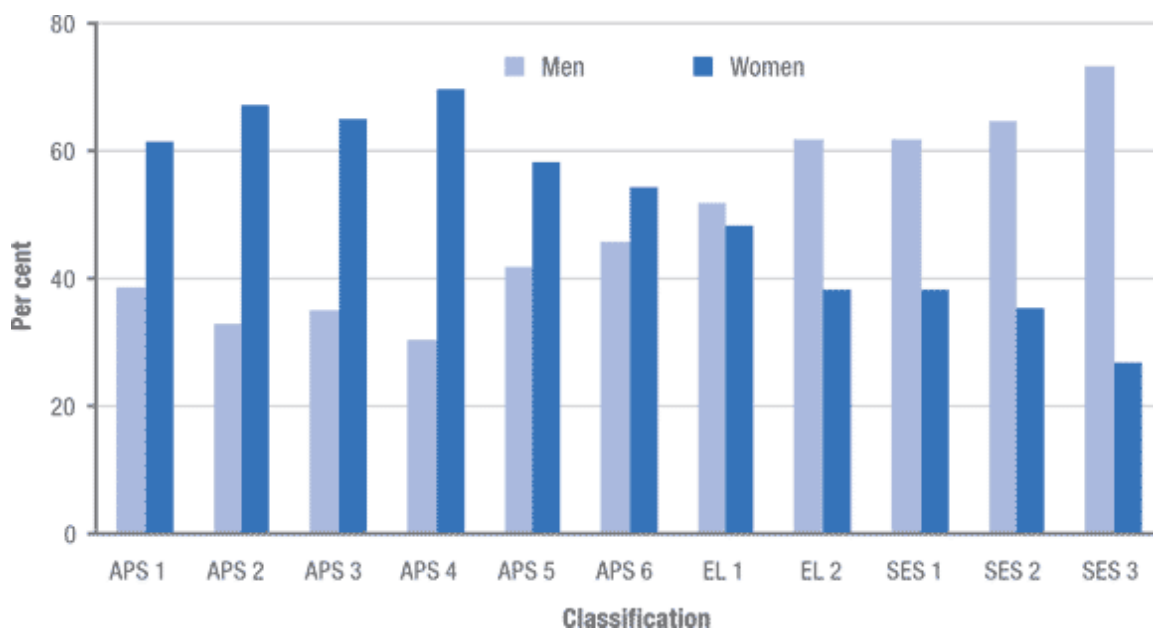
*At June 2008, 12.2% of ongoing employees were working part-time, up from 11.7% last year. **Women are still much more likely to work part-time**, with 18.8% working part-time at June 2008 compared with 3.4% of men.*

*Part-time work for women, **which is still seen as less valuable than full time work in relation to promotion**, is highest in the 30–44 age group, with 26.4% of ongoing women in this age group working part-time at June 2008. For men, the proportion working part-time in this age group was 3.9%.*

Women by classification

Despite the continued growth in women's representation in the APS, there is still a substantial difference between the classification profiles of men and women, particularly at higher classifications. Figure 2.6 shows the proportion of men and women at selected classifications at June 2008. Women outnumber men at all classifications up to and including APS 6, with the proportion of women falling sharply at higher levels. Fifteen years ago, the 'cross-over' point was APS 4. Based

on current trends, women are likely to reach equal representation at the EL 1 classification within two years.



Demography of the SES leadership group

Representation of women in the SES continued to rise this year, up to 37.0% from 36.1% last year. In 1994, women's SES representation was only 16.9%. Women's representation increased at all SES levels this year. During 2007–08, growth in the number of women was particularly strong at the SES Band 3 and SES Band 2 levels which rose by 15.6% and 13.1% respectively.

As is the case for the APS overall, **women in the SES are concentrated at lower levels in the SES**, although this is changing. At June 2008, 77.2% of women in the SES were Band 1s, compared with 73.5% of men. In 1994, the proportions were 82.2% and 71.5% respectively.

Table 2.5: Ongoing SES employees by age group, sex and level, June 2008

	SES Band 1			SES Band 2			SES Band 3			Total No.	%	% female
	M	F	Total	M	F	Total	M	F	Total			
25–29	1	2	3	0	0	0	0	0	0	3	0.1	66.7
30–34	18	25	43	1	0	1	0	0	0	44	1.6	56.8
35–39	139	96	235	12	7	19	2	0	2	256	9.5	40.2
40–44	218	158	376	37	34	71	7	6	13	460	17.1	43.0
45–49	341	235	576	83	61	144	19	11	30	750	27.9	40.9
50–54	325	158	483	107	54	161	34	12	46	690	25.6	32.5
55–59	145	75	220	77	31	108	26	5	31	359	13.3	30.9

Table 2.5: Ongoing SES employees by age group, sex and level, June 2008

	SES Band 1			SES Band 2			SES Band 3			Total		% female
	M	F	Total	M	F	Total	M	F	Total	No.	%	
60 & over	59	20	79	31	3	34	14	3	17	130	4.8	20.0
Total	1246	769	2015	348	190	538	102	37	139	2692	100.0	37.0

Over the past 10 years, the median age of the SES has remained unchanged at 48 years. The proportion of SES aged 45 years and over, who will be eligible for retirement in the next 10 years, accounts for a substantial proportion of the SES—71.7% at June 2008. **This remains a challenge for agencies in terms of succession planning and knowledge management;**

Pay Equity

Data on total remuneration packages is presented in Chapter 3 *Attracting , engaging and retaining the APS workforce*, it provides the following information on Pay Equity.

..the median APS-wide remuneration for women was less than for men by between 1.5 and 6 percentage points at different classification levels (except for APS 4 classification where there was no difference).

A key reason underlying the gender is the longer length of service male employees have accumulated at nearly all classifications.

It has been suggested that there is a link between a female dominated workforce and low paying agencies, possibly those agencies employing a significantly higher proportion of women tend to pay in the lower part of the APS remuneration distribution. Investigating this would require further detailed analysis and a clear understanding of the factors behind agency remuneration approaches.

However, as the Commission explained to the House of Representatives Standing Committee on Employment and Workplace Relations (page 278 of the report *Making it Fairer*), use of this data from the APSED for further analysis would have some limitations. These are the following:

- Allowances cannot be separated from base salary;
- It cannot be broken down by collective or individual agreements (such as Australian Workplace Agreements) or determinations made under section 24(1) of the Public Service Act 1999);
- And it does not include key non- monetary benefits such as cars, superannuation or performance bonuses.

Harassment and bullying

The APS Code of Conduct requires that an APS employee, when acting in the course of APS employment, must treat everyone with respect and courtesy, and without harassment (s.13 (3) of the Act).

Chapter 7: *Ethics and Integrity* sets out findings of an employee survey conducted by the Commission.

Nineteen per cent of APS employees reported that they had been subject to harassment or bullying in the last 12 months. This figure, which is significantly higher than that of 15% for 2005–06 and 2006–07, is attributable to the results of two large agencies. When these agencies are removed the result is on a par with last year's.

In 2007–08, a significantly higher proportion of women (21%) than men (16%) believed that they had been subjected to harassment or bullying in their workplaces during the last 12 months, compared with 17% and 12% respectively last year. Unlike last year, APS 1–6 and EL employees were not more likely to believe they had experienced harassment or bullying than the SES.

This year, employees who believed that they had experienced harassment or bullying in the previous 12 months were asked who was responsible for the harassment or bullying. The results suggest that supervisors (42%) and someone more senior other than supervisors (37%) are the two groups most likely to be responsible for harassment and bullying.

The Commission concluded that:

*the range of results across agencies, where some agencies have achieved results of below 10% of employees reporting such incidents, indicates **that there is much more some agencies need to do, particularly at the manager and supervisor levels, to create a culture where such behaviour is unacceptable.***

Employment of Indigenous Australians and People with a Disability

Chapter 3: *Diversity of the State of the Service Report 2007-08* provides information on the employment of Indigenous Australian, People with Disability (PWD) and People from a Non-English Speaking Background (NESB). Provision of this information is voluntary and is likely to under-represent the numbers of employees in these groups. The quality of the data improved in the past two years in some agencies but is still of concern in others. The data is for ongoing employees only.

In the ten years 1999 to 2008 the proportion of Indigenous employees has declined from 2.7% to 2.1%, the proportion of PWD declined from 4.9% to 3.1% while NESB rose slightly from 5.6% to 6.0%.

The Commission summarises their findings as follows:

*After two years of growth reported in last year's report, it is disappointing that the number and proportion of Indigenous employees fell this year, although the decline in proportional terms was small. Employee survey results show that the **expectations of***

*Indigenous employees are not being met on several of the attributes that attracted them to their job. While APS-wide efforts to improve the recruitment of Indigenous employees appear to be producing some successes, this group is **much more likely to leave the APS than other employees**. It is important that agencies find out why this happens, and ameliorate this trend if we are to reverse the long-term decline in Indigenous employment in the APS.*

*For employees with disability, results suggest that the APS is **having little success at both recruiting and retaining ongoing employees**. While there are concerns about the quality of the data, there is still a long-term decline in this group's representation in the APS. Employee survey results indicate that employees with disability are **dissatisfied with agencies' support in the workplace**. There is significant room for improvement in all four main areas of the MAC (Management Advisory Committee) objectives for promoting the employment of people with disability.*