



UWA - ACHIEVING EXCELLENCE THROUGH DIVERSITY

In March this year the University of Western Australia launched its *Workforce Diversity Strategy 2001-2003*. The strategy was developed to complement the overall strategic framework provided by the University's Equal Opportunity Management Plan, and identifies three priority areas by focusing on increasing workforce participation for Indigenous Australians, people with disabilities and people from culturally and linguistically diverse backgrounds.

UWA Manager of Equity, Maria Osman, said it was recognised the University had already achieved significant outcomes with respect to gender equity. 'The *Workforce Diversity Strategy* signifies a widening of the focus through a greater emphasis on the broad range of equity and equal opportunity principles such as indigenous issues, cultural diversity, disability, balancing work and family responsibilities and sexuality', Ms Osman said.

Five key result areas have been recognised to identify issues and develop strategies for addressing community and individual needs. These are:

- Leadership and Promotion
- Cultural Profile
- Recruitment
- Special employment initiatives, and
- Employment support and development

A Strategy Reference Group has been formed comprising representatives from all Faculties and Units within the University and will report to the deputy Vice-Chancellor through the University's Equal Opportunity Advisory Committee. Ms Osman noted that 'the high level of commitment to this Strategy, starting with the Vice-Chancellor Deryck Schreuder and Deputy Vice-Chancellor Alan Robson, was recognition that increasing diversity within the staffing profile would deliver significant benefits to both employees and the organisation as a whole'.

'The University recognises that the Strategy will provide support to people from diverse backgrounds to participate more fully in accessing

appropriate employment, skills development and career enhancement opportunities within the University. It will also provide an opportunity for people from diverse backgrounds to utilise a broader range of their talents and abilities'.

'The social and business benefits flowing to UWA and its Faculties and Departments from the successful implementation of this strategy will be significant', said Ms Osman. 'There is no doubt that greater workforce diversity will enhance the quality of decision making and service provision through drawing on a diverse range of skills, expertise and perspectives.

It will also assist in increasing our share of income derived from the international student market through promoting UWA as an inclusive environment that promotes excellence in teaching and learning through diversity. As well, the Strategy forms a significant component of UWA's social justice responsibilities and will directly contribute to reconciliation and our relationship with Indigenous and ethnic communities that are often marginalised'.

The outcomes to date from the strategy have been outstanding.

'There have already been 40 placements across all three priority areas, including two Indigenous cadetships leading to ongoing positions, five traineeships for people with disabilities and nine positions across the University at entry level 3 in both ongoing and fixed-term appointments' Ms Osman said.

UWA recognises the ongoing success of this Strategy will rely on the promotion and maintenance of a workplace culture that is supportive of diversity. Ms Osman noted that a range of culture change strategies have accompanied the placements, including diversity awareness training for the departments where trainees have been placed, in-depth briefings on cultural sensitivity, EEO and disability awareness for all selection panels, and regular networking, mentoring and support for all new recruits.

THE KEY COMMENT

My Office and the CEO Diversity Forum have just released a new publication for the WA public sector, *Innovative Recruitment*. This very practical book offers guidelines, tips and strategies to assist in the recruitment and selection process. Encouraging a wider and more diverse range of applicants will lead to excellent selection choices.

The advice in *Innovative Recruitment* complements the consultancy service we can offer agencies seeking to achieve best practice in recruitment. Providing a public service that matches the profile of the community we serve – at all levels of employment - is one of this Government's policy commitments.

Shortly you will be hearing about the new *Equity and Diversity Plan 2001-2005*. The EDP sets interim objectives for achieving workforce diversity throughout the public sector. I look forward to working with you to achieve these objectives. As a first step the Office has organised Information Seminars to brief agencies about the Plan and to provide assistance. Contact the Office for details.

Maxine Murray
Director of Equal Opportunity
in Public Employment

ASSISTANCE AVAILABLE FROM THE OFFICE OF EEO

The Office of EEO offers a range of services to assist you in your EEO and Diversity planning, implementation and evaluation.

These include:

- Advice and assistance in EEO & Diversity Planning (including development of performance objectives) for your organisation
- A range of publications that may be sent to you
- Various training courses to assist in the management of workforce diversity
- Assistance with ongoing demographic data analysis
- Conducting an EEO Climate Survey for your organisation
- A consultancy service for developing strategies for implementing EEO & Diversity.

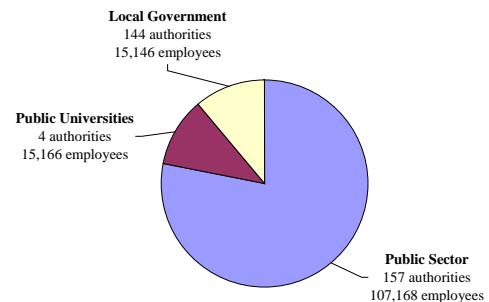
For further information contact the OEE0:

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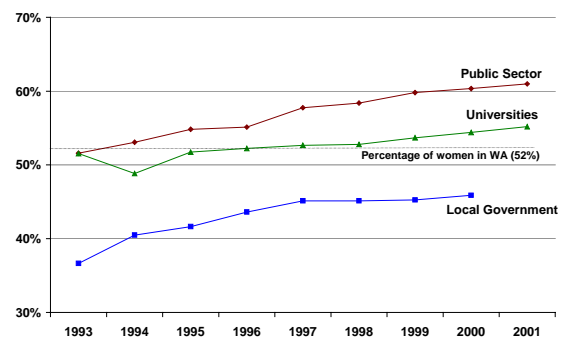
DIVERSITY IN PUBLIC AUTHORITIES

The Office of EEO collects yearly reporting data from 305 public authorities in three sectors of government. The largest sector in terms of employee numbers is the public sector with over 107,000 employees in 157 agencies.



Women

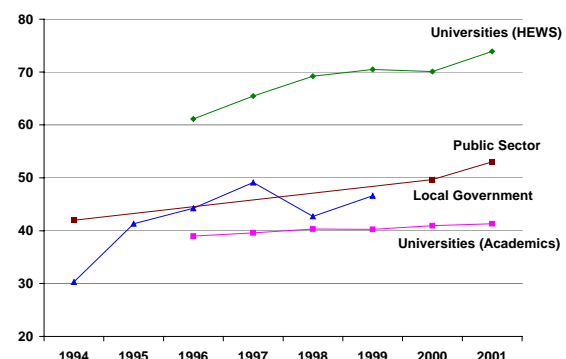
The following graph shows the change in the percentage of women in the three sectors. In all three sectors the percentage of women has increased since 1993. The public sector shows the highest proportion of women – currently 61% of public sector employees.



Equity Index - Women

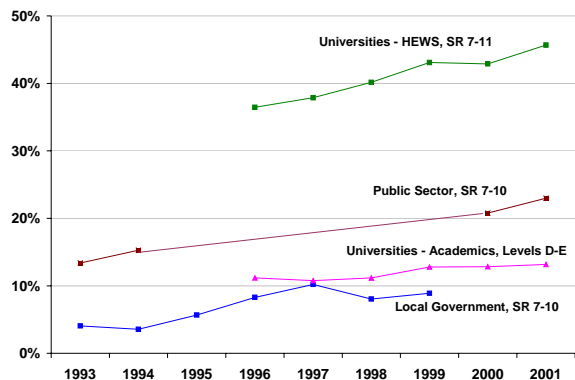
The Equity Index measures the distribution of women and diversity groups in the workforce. It is a measure of 'compression' – the extent to which members of an EEO group are to be found at the lower classification levels. An Equity Index of 100 indicates there is no compression at the lower levels.

There has been an improvement in the Equity Index for women in each of the sectors since 1993, particularly in the last year for the public sector and universities.



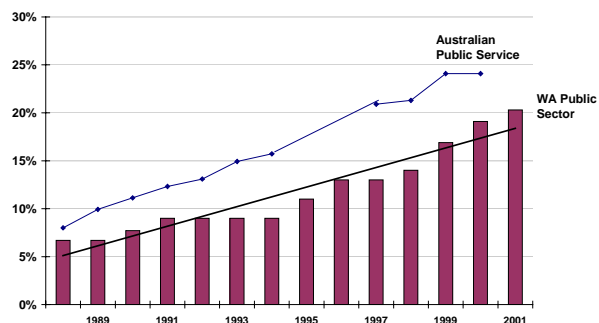
Women at the Higher Salary Levels

The distribution of women across the salary ranges is quite different for each sector. The following graph shows women as a proportion of employees at the higher salary levels (SR07-10) with universities split into Academics and Higher Education Workers. This year there has been improved representation of women at the higher levels in the public sector and university Higher Education Workers. For Local Government, current comparisons are not possible due to changes in salary levels.



Women in the Senior Executive Service

While there is still some improvement in the representation of women in the SES there has been some levelling off after increases in earlier years.



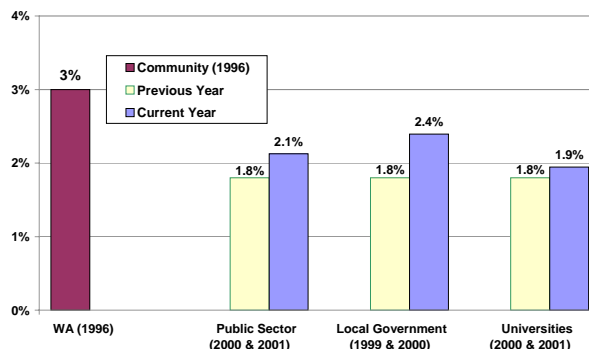
Women in Management

Women constitute a small proportion of Management Tiers, particularly in Local Government. While there has been some minor improvements, there has not been any substantial increase in the percentage of women in management tiers in recent years.

	Tier 1	Tier 2	Tier 3
Public Sector 2001	12.2%	32.8%	28.6%
Local Govt 2000	2.1%	14.4%	30.4%
Public Unis 2001	25.0%	16.7%	20.7%

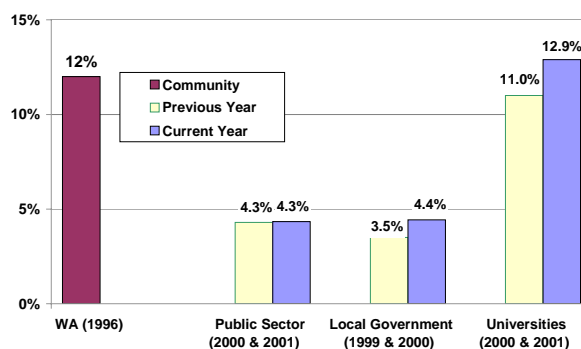
Indigenous Australians

The 1996 Census gives the percentage of Indigenous people in Western Australia as 3%. Compared to the WA population, Indigenous people remain under-represented in all public employment sectors.



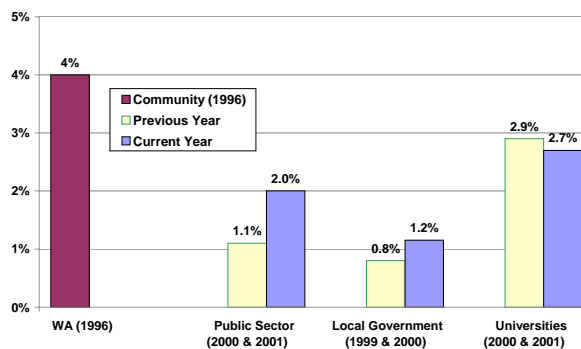
People from Culturally Diverse Backgrounds

Universities have a high representation of people from culturally diverse backgrounds. However, the percentage in the other sectors is considerably less than the WA population.



People with Disabilities

People with disabilities are under-represented in all sectors when compared to the WA population. However, there has been an improved representation in the public sector.



Equity Index - Diversity Groups

The table below shows the current Equity Index for diversity groups by sector (change from the previous year in brackets). This indicates improved distribution for other groups in the public sector and universities.

	Indigenous Australians	Culturally Diverse	People with Disabilities
Public Sector 2001	29 (+1)	>100	>100
Local Govt 1999	18 (+0)	57 (-3)	50 (-3)
Unis - Acads 2001	92 (+4)	>100	>100
Unis - HEWS 2001	47 (+10)	>100	>100

Age discrimination causes loss of employment

Skinner v Lightning Bolt Co Pty Ltd

The Anti-Discrimination Tribunal of Queensland determined that two men who had worked for the respondent as storemen had been dismissed because of their age, and not because of a downturn in business as they had originally been advised.

The complainants, Mr Skinner and Mr Smith, had been in the respondent's employ for less than three months when their employment was terminated at the end of March 2000. The respondent was a retailer of a wide variety of fasteners and earlier that year one of the respondent's major clients had gone into administration. As a result the respondent had lodged a formal proof of debt in the sum of \$147,538, a substantial debt for the size of the respondent company.

At the end of March both the complainants were dismissed and in each case the respondent's reason for termination of employment was stated to be 'insufficient work owing to down turn in trade'. Several weeks later, however, when Mr Skinner visited the workplace to pick up a reference, he noticed two younger men doing the work he and Mr Smith used to do. He then established with the new employees that they had commenced work less than two weeks after he and Mr Smith had been dismissed.

In lodging the complaint the complainants contended that that they had been dismissed because the respondent had wanted to replace them with younger men. They referred to the fact that the new employees had commenced work immediately after their own employment was terminated, and the fact that there did not appear to be any apparent down turn in the respondent's business.

The complainants also noted that their own work performance had been good with no complaints about the quality of their work. In support of this aspect of their claims the complainants referred to the favourable references that each had received from the employer.

The Tribunal heard evidence from the two new employees about the amount of work that was available for them, and this was supported by Mr

Skinner's evidence that when he returned to the work place he saw four people working in the store. The Tribunal was satisfied that at the time the complainants were dismissed there was no lack of work for them in the respondent's store, and concluded that the respondent's loss of a major client had not given rise to a need to reduce the number of storemen in the respondent's employ. In reaching this conclusion the Tribunal noted that the complainants had been dismissed with a haste that was expensive to the respondent and did not give rise to cost savings; no adequate assessment had been made of what was required to keep the store functioning efficiently; and, at the time the complainants were dismissed, the services of no less than three storemen were required for that purpose.

For these reasons the Tribunal found that a substantial reason for the dismissal of both complainants was their age, and that this contravened the Act.

When determining an appropriate relief for the complainants for the unlawful age discrimination they had experienced, the Tribunal indicated that an order for re-employment was not appropriate since Mr Skinner had stated he would not feel comfortable working for the respondent again, particularly when there were so few storemen employed by the company. The Tribunal also noted that the respondent had not indicated that there were vacancies at the workplace.

Instead, the Tribunal ordered that the complainants be compensated for the injury to feelings and humiliation caused by the respondent's behaviour. Mr Skinner was awarded damages of \$72,582 and Mr Smith damages of \$8,906.

Implication for Employers

This decision highlights the care that needs to be taken by employers when making decisions regarding all aspects of the management of staff. Irrelevant factors such as the employee's age, gender, race, religion etc, should not play a part in determining who should be offered employment, promotion or dismissal, and should not determine the benefits of employment that an employee will receive.

(Adapted from CCH Equal Opportunity Law Reporter 93-167)