

MORE WORK, LESS CHOICE

The Impact of National Labour Re-Regulation on Low-Paid Women Workers in the Australian Capital Territory

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Executive Summary

Background

This report assesses the impact of *Work Choices* on ‘vulnerable’ working women in the Australian Capital Territory. It is grounded in, and draws upon, a wider quantitative study which identified industries and occupations where low paid women were concentrated and where it was considered that they were likely to be affected in different ways from working men and from other women.

Across the country, research teams interviewed over a hundred women to hear in their own words how *Work Choices* had affected them, for better or for worse. In the ACT, fourteen women were interviewed in detail and at length. We make no claims for the ‘typicality’ of these women. Rather, we simply report what they – the women from ‘at risk’ sectors – themselves are saying about life under *Work Choices*. The researchers spoke only to women who could show that they had experienced changes at work in the last twelve months *and* that those changes could be attributed to changes in national labour law. Further, in ensuring that we were drawing out examples of changes that were specifically caused by the new laws, we sought to avoid merely cataloguing stories of ‘bad bosses’. This is a study of the impact of changed laws on women’s lives. And it is not a happy story.

Findings

No-one reported any improvements in work/life balance. In some cases, the women’s concern about their loss of independence – growing reliance on men, parents or the state – was marked. There was no genuine negotiation at work; no improvement in work itself. In fact, a striking finding was that many of those interviewed in these low status jobs made it plain that they took immense pride in their work and that, for various reasons, these jobs were not being done as well under *Work Choices* as they had been in the past. The major impacts of *Work Choices* reported here are as follows:

1. No improvements in pay, other than through adjustments to minimum wages;
2. When those adjustments take place, work loads frequently increase;
3. Loss of penalty rates and loadings;
4. Unilaterally imposed changes in shift arrangements and the hours of work;
5. Work intensification;
6. Lack of security at and about work;
7. Uncertainty about the new laws and the nature of employment agreements;
8. Heightened managerial prerogative and reduced ‘voice’ at work;
9. New norms at work, with individualised, fearful and intimidated employees.
10. Less satisfaction at work, with women feeling unable to do their jobs properly;
11. Threats to women’s independence;
12. Greater stress on individuals and relationships.

Combined, these findings suggest a massive disjuncture between the stated aims of *Work Choices* and the impact upon these women. These women found the system extremely *unfair*; indeed, this concern lay at the base of all their other reactions. The growth in managerial prerogative meant that ‘choice’

was illusory. So, too, were claims about the system having been simplified: there was real *confusion* not only about how the laws worked but, for some of the women, uncertainty about what sorts of agreements they were now being paid under. There was also some evidence of informal, unwritten arrangements growing in significance. There was *no* evidence that ‘flexibility’ had worked in favour of the women. They were *working harder* for their money and reporting no improvements in balancing work and family lives. In fact, most did not even think this a matter worth taking about at any length, so remote was it from their lived reality. Were they more ‘productive’ employees? A qualitative project such as this one cannot answer that question definitively. What we can say is that one striking finding was that of the women who did talk about the nature of their work, all felt that *pressure at work* was leading to their jobs, in the main as cleaners and carers, being done less well than in the past.

Thus the recurring theme in this rich interview material is a perception of enhanced managerial prerogative under, and because of, *Work Choices*. This is an important change in itself, but it goes further, weaving its way through statements about two other impacts that women are reporting: a lack of voice in the workplace, and increased job stress and outright fear at work. It also leads into, and explains, the more measurable outcomes that the women were telling us about: reductions in penalty rates, changes in hours of work and shift arrangements, and work intensification.

Recommendations

Recognising that State Governments and the Territories have limited powers to intervene in employment relations and mediate the deleterious impacts of *Work Choices* reported here, there are, nonetheless, several recommendations which flow directly from the experiences with which this study has dealt. Plainly, changes are necessary to the national regulation of labour. Drawing from the concerns expressed in this report, the Commonwealth must act to restore certainty and fairness.

1. On behalf of its most vulnerable women workers, the ACT Government should raise matters of concern about national policy with Commonwealth employment relations ministers, shadow ministers and spokespeople. It should strongly encourage the States to do likewise.
2. The ACT Government should encourage and work with a wide range of lobby groups, as has been the case in the preparation of this project, to articulate the concerns of low paid women.
3. Specifically, we recommend the establishment of a committee of government and non-government organisations to continue to monitor the impact of legislative change and to distribute information about such developments.
4. That more information on entitlements, agreement-making and sources of help be made available, in a range of languages, to working women in the ACT.
5. Ensure that where the ACT Government tenders for non-government programs that those tenders are assessed placing priority on the provision of fair pay and conditions of employment.
6. Ensure that tendering processes for government work do not compete on the basis of labour costs and that freedom of association and collective bargaining are genuine options for employees.
7. Monitor sub-contracting arrangements to ensure that they do not compete on the basis of labour costs and that freedom of association and collective bargaining are genuine options for employees.
8. Sponsor further research including on the impact of legislative change on women and men under 18 years of age and on men in vulnerable labour market positions.

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Introduction

Rationale

Faced with fundamental changes to national labour law, how will the more 'vulnerable' of working women fare? This report explores the impact of these changes on low paid women in the Australian Capital Territory (ACT) through a series of in-depth interviews, grounded, in turn, in wider quantitative assessments of the nature of, and threats to, women's labour market position.

On 27 March 2006, new Commonwealth labour law, the *Workplace Relations Amendment (Work Choices) Act 2005*, came into effect. Building upon the changes made by the Coalition Government in 1996, *Work Choices* significantly re-cast the legislative framework of employment relations. Most observers, supporters and critics alike, see it as completing the most profound change in labour law at the national scale since the introduction of Australia's distinctive system of compulsory conciliation and arbitration over a hundred years ago in 1904. In that system, awards provided the safety net of pay and working conditions, and unions were guaranteed a role in representing employees.

The complex changes introduced by *Work Choices* have occasioned intense debate in and beyond the political realm and impassioned protests from community groups, the union movement and others, alongside some equally forceful defences of the new laws from employer lobby groups. For many people, the heart of the debate over *Work Choices* lies with the question of how the law is likely to affect the most vulnerable employees in the Australian community. The fate of women, disproportionately located in low-wage areas of employment and traditionally more reliant than men upon the award system, has been of central concern to many policy-makers in the States and Territories, to researchers and to unions and community groups.

Work Choices

Work Choices draws on the corporations power in the Constitution as opposed to the traditional, primary reliance on the conciliation and arbitration power. Through this mechanism, *Work Choices* seeks to deliver a 'unified national system' overriding State workplace laws and agreements, and States' powers in industrial relations more generally. As was the case before *Work Choices*, the law covers all employers in the ACT and other territories. It will also come to cover all employers defined as 'constitutional corporations', with an estimated coverage of between 75 and 85 per cent of the Australian workforce.

The power of old institutions has been reduced; new bodies have been created. The Australian Industrial Relations Commission no longer sets minimum wages. The Australian Fair Pay Commission now carries out that function as and when it sees fit. The power of the traditional arbitration system has also been much reduced by the abolition of the 'no disadvantage test' which had ensured that employees were not worse off under Australian Workplace Agreements (AWAs). Further, no new awards will be made save for those resulting from an 'award review' process.

To replace the wide range of minimum standards and the no disadvantage test – the traditional ‘safety net’ – there are five minima under the Australian Fair Pay and Conditions Standards. These are the first nationally legislated minimum standards in Australia. They constitute the only essential elements in agreement-making and consist of: the minimum wage; four weeks annual leave; ten days personal or carer’s leave per year; unpaid parental leave of 52 weeks; and maximum working hours of 38 per week, averaged over twelve months. All other terms and conditions of employment are negotiable.

Under *Work Choices*, the various forms of ‘workplace agreements’ are no longer, therefore, tied to awards. This traditional nexus, attenuated in recent years, has now been broken. There are also new forms of industrial instruments for codifying working conditions. They are all variants of workplace agreements, specifically: AWAs, union workplace agreements, non-union workplace agreements and union greenfields workplace agreements, employer greenfields workplace agreements, and multiple-business agreements. The Act and its associated regulations contain much detail as to the form, content and making of these agreements, including ‘prohibited matters’. *Work Choices* also places new restraints on union activity in workplaces and on union industrial action.

The new law also makes major changes to employment protection. Unfair dismissal protections in firms with 100 or fewer employees have been abolished. In addition, for firms of any size, dismissals are allowable for ‘operational’ reasons. The interpretation of ‘operational’ appears to be broad, including ‘economic, technological, structural or similar nature relating to the employer’s undertaking, establishment, service or business’ (Catanzariti, 2006: 82; see also Australian Government, 2005 and Stewart, 2006 for detailed summaries of *Work Choices*).¹

As well as there being significant differences of opinion as to the merits of *Work Choices*, there are complicated questions to answer for all those trying to assess the impact of the new laws, from whatever perspective. For one thing, many pre-*Work Choices* contracts and agreements remain in place. For another, in the States, laws and agreements remain, at least for now, important for many workers. Furthermore, the impact depends not just on laws but on how employers and State and Territory governments choose to respond to them. The Commonwealth Government has decided not to collect as much data as its predecessors and not to release much of what it does have. The evidence thus far made public suggests that the effect of the new law has been uneven and varied across occupations and industries and from one place to another. However, there is certainly enough evidence to show that once secure, core conditions have been removed from new agreements and that significant obstacles have been put in the road of free collective bargaining (see, for example, Considine, 2006; McIlwain, 2006; Peetz, 2007a, 2007b; Cooper and Ellem, 2007).

In the ACT, one of the complexities in understanding *Work Choices* is removed: workers in the ACT have always had their wages and conditions regulated solely through national labour law. We can readily assess, therefore, how the new laws are working in this jurisdiction. This report sets out to give a voice to a selection of women working in the ACT, women whose working lives have been affected, in various ways, by the regime ushered in by *Work Choices*.

The report first explains the origins of the study, showing how it is part of a wider project which uses both quantitative and qualitative research methods. It then explains the methods used in this particular report, including detailing the recruitment and selection of interviewees, before

¹ Amendments to *Work Choices* were announced as this report was approaching completion in May 2007. The changes include the introduction of a new ‘Fairness Test’, the renaming of the Office of the Employment Advocate (OEA) as the Workplace Authority and the renaming of the Office of Workplace Services (OWS), as the Workplace Ombudsman. The Workplace Authority will now vet new agreements, according to the ‘Fairness Test’, for employees earning less than \$75,000 per annum. Agreements lodged before May 2007 which have lost protected conditions, will remain in force.

summarising the characteristics of the women with whom we spoke. The report then deals with the findings in terms of standards at work, work processes, security, managerial prerogative, unions, and the effects on the women themselves. Some of the women's overall reactions to *Work Choices* are reported. Finally, there is an overview of the report and a series of recommendations.

Origins of the study

A recognised need

For some time, independent researchers have been trying to draw a detailed picture of what is known about the impact of *Work Choices*. How changes in labour law and employer practice affect women workers in particular has long been recognised as both important and distinct from the impact on men. The precise nature of the institutions established by law to set standards and regulate employment relations is vital in determining wage equity as between women and men (Whitehouse, 1992, 2004; Preston and Crockett, 1999; Baker and Fortin, 2000; Preston, 2003; Whitehouse and Frino, 2003; Todd and Eveline, 2004).

Studies exploring the likely impact of *Work Choices* point to potentially significant effects on working women and men, especially those most disadvantaged in the labour market: the low paid, youth, working carers, casuals, those employed in smaller workplaces, and those with relatively little workplace power or 'voice'. The likely outcomes that were identified include impacts on earnings, loss of conditions such as penalty and overtime rates, less say over working time and lost employment security (Briggs and Buchanan, 2005; Briggs et al, 2005; Edgar, 2005; Plowman and Preston, 2005; Group of 151, 2005; Ellem et al, 2005).

The impact on wages and conditions is only one aspect of the debate about the effect of *Work Choices* on women. In recent years, balancing work and family has become one of the most common areas of private concern and public discussion. Demands for labour are increasing, and for women workers in particular. At the same time, there is pressure to lift the birth rate as the population ages. Thus, the demands on Australian women are intense and at times contradictory. Women still shoulder the great bulk of nurturing and caring – so policies must be cognisant of this enduring gender difference (HREOC, 2007). Research in Australia and elsewhere shows that women need both predictable working times and flexibility at work to accommodate their dual roles (Earle, 1999; Baird, 2004, 2005; Pocock, 2003, 2006; HREOC, 2002a, 2002b). How any piece of labour legislation addresses the rights of women to work, and to fairly remunerated work, while facilitating 'work-life balance' is, then, one of the fundamental policy matters of our time.

Project history

This particular project arises out of work carried out by a research team (listed in Appendix 1) from leading universities in South Australia, New South Wales, Queensland, Victoria and Western Australia who had been contracted by the Human Rights and Equal Opportunity Commission (HREOC) to evaluate and summarise the wealth of quantitative data on the status of women in employment. This was designed as stage one of a two-part project.

Stage One, the quantitative assessment, was conducted by the Women in Social & Economic Research unit (WiSER) at Curtin University of Technology under contract to HREOC, the National Foundation for Australian Women (NFAW) and the Women's Electoral Lobby (WEL). Entitled *Women's Employment Status Key Indicators Report* (WESKI, 2006; available at www.nfaw.org), this publication assessed the status of women's pay and conditions on the eve of *Work Choices* coming

into effect and identified gaps in current data-sets which need to be addressed to enable continued monitoring.

The WESKI report was intended to provide a starting point from which to evaluate the impact of the new regulatory framework on women. It showed that different kinds of institutional arrangements governing women's employment do affect wages and conditions in different ways and it examined the capacity of women to engage in genuine bargaining. Two issues emerged which suggested how further research might proceed: the importance of interviews as a means to fill out the research done thus far; and the key sections of the labour market in need of further analysis.

First, the report argued that much more data were needed to be able to assess the real, lived impact of changes in labour law. It found that interviews would be a rich source of personal data and that these interviews would also help in the design of future survey work. The interviews would allow women in the selected occupations to raise the issues that concerned them in their own occupational and personal contexts. They were intended to provide the women with an opportunity to explore, in depth, issues which they themselves defined as important to them. This rationale and the way in which this research was undertaken are discussed in more detail in the methods section below.

Second, the WESKI report examined sectors of employment where women were over-represented and where they had only minimum employment conditions. Women have long been over-represented in areas of employment that rely on centralised minimum employment provisions, set mainly by the award system. A wealth of Australian and international evidence, past and present, suggests that a greater emphasis on individual bargaining, with a stripped back set of minimum conditions, would be likely to undermine women's relative position in labour markets (Blau and Kahn, 1992; Lee, 1994; Pocock and Masterman-Smith, 2005; Preston, 2001; Rubery, 1992; Whitehouse, 1992). The task for researchers, then, would be to assess the impact of *Work Choices* on those already located in the more vulnerable sections of the labour market.

The sectors identified were:

- Childcare
- Cleaning
- Retail trade (shop assistants)
- Cafes, restaurants
- Aged care

Subsequently, during the initial phases of preparing to the interviews, it became clear from responses of potential interviewees that some women in other sectors should be added as here, too, it was clear that low pay and minimum conditions were the norm. In at least some of the States and the ACT, women working in clerical, process, transport and community sectors would also be interviewed.

Through detailed and open-ended interviews, the objective of stage two was to assess the many dimensions of women's status at work and in the home through detailed and open-ended interviews. Initially the same research contractors were involved, but after HREOC was unable to continue, a new funding mechanism was required. It was agreed eventually that the national design and coordination, together with a national report, would be financed by the NFAW, and WEL, joined by the Young Women's Christian Association of Australia (YWCA). Five State governments - South Australia, New South Wales, Queensland, Victoria and Western Australia - initially agreed to fund the research in their jurisdictions. This funding allowed for the researchers to undertake twenty interviews in each State, 100 across the country. In October 2006, the ACT Government's Minister

for Women decided to join the ACT to the project, with funding from the Office for Women in the Department of Disability, Housing and Community Services, for interviews with women in the ACT.

This report on the ACT will also contribute to the national report which is making a qualitative assessment of the impact of changes in work regulation on women workers. The findings will also be published along with similar research in other forums and independent, refereed academic journals. The material here will be made available on the web, including through the National Foundation for Australian Women at www.nfaw.org.

Methodology

The interviews

In the light of the findings in the WESKI report, the researchers developed an interview schedule to be applied uniformly across the States and in the ACT. Potential interviewees were screened to see if they met the required characteristics identified through the quantitative analysis provided in the WESKI report. The interview process would allow for issues that might otherwise remain neglected to be brought forward. The structured interview had an open-ended component which allowed the researchers to explore issues as they arose and to make the research process itself more open to fresh insights.

Within this framework, research methods for the ACT were designed. Because the research was based on interviews, we needed to secure clearance from the relevant university ethics offices, in this case the Human Ethics Committee at the University of Sydney. As is standard practice, we explained the aims, significance, purpose and methods of the research and provided copies of the information sheet and consent forms which our interviewees would be asked to sign (see Appendix 2).

Interviews were at the heart of this stage of the research. This approach to research allows us to give voice to individuals affected by change and to explore how they themselves experience and perceive those changes. Change at work is essentially about ‘human affairs’ (Yin 1994, 85) and thus interviews are widely considered the most appropriate way to access information. Whipp argues that interviews allow researchers to draw upon ‘[d]etailed, vivid and inclusive accounts of events and processes’ (Whipp 1998, 54). Esim argues that interviews can be particularly useful for researchers attempting to elicit data from women about their life experience and can be useful in eliminating ‘power hierarchies’ in the research process (Esim 1997). The interviews used in this study add richness and texture to the important story that our research tells. These details would have been impossible to capture without the voices of the women experiencing change as a result of *Work Choices*.

This report wherever possible presents verbatim text from the interviews. This enables ‘the reader to “hear” what the researcher heard’ (Reinharz 1992, 39). We believe that this is made all the more important by the absence of the voices of women in low paid jobs from the current public policy debate about *Work Choices* and changes at work.

Recruitment

To recruit women for the interviews, a range of methods was used:

- Press release, November 2006 (Appendix 3).
- Paid advertising in *The Canberra Times* and *The Chronicle* (Appendix 4).
- Telephoning and emailing women’s organisations in the ACT.

- Letters to Business/Employer groups (Appendix 5).
 - ACT Chamber of Women in Business.
 - ACT Chamber of Commerce.
 - AiG Canberra.
- Catholic Social Services – notice in newsletter (based on Appendix 4).
- UnionsACT email/fax to ACT union contacts.
- Contact with Young Christian Workers National Office.
- YWCA Canberra.
- Contacting unions with coverage of targeted women workers.
- Personal contacts.

In addition to these methods, we relied upon ‘passive snowballing’ to recruit potential interviewees. Interviewees were asked to pass information about the project on to colleagues, associates and family members. If people were interested they could then contact us at the University. There was no coercion in any of these methods.

Of all of the recruitment methods media and snowballing were the most successful in recruiting interview participants. However, it was also the case that we had to exclude more women who responded to these contacts sources (most particularly media) than from any other source. Contact with ‘key industry stakeholders’ was relatively unsuccessful. Employer groups provided no ‘leads’ potential interviewees and where we did make contact with potential interviewees through unions, it was in an indirect fashion. The main unions which responded were the Liquor, Hospitality and Miscellaneous Workers Union and the Transport Workers Union. We also dealt with Unions ACT and the Shop, Distributive and Allied Employees Union. A typical scenario was that a member of a union who had seen an advertisement of the project via their union provided leads and introductions to workmates, family and friends as potential participants.

Selection

It was essential that the women had experienced change at work – for better or worse – since *and because of* the changes to national labour law wrought by *Work Choices*. This methodological point must be strongly emphasised and clearly understood. We were therefore obliged to exclude from the interviews and the project a number of women who had contacted us to talk about their work experience or that of others. They might indeed have experienced change at work, and in some cases they had strong views about *Work Choices*, but if they were not within the target groups and if there was not a clear causal link between the changes to law and changes at work, then we could not, and did not, use their experiences in this particular study.

The participants had to meet selected criteria before being interviewed. The starting point has already been explained. We were seeking women in the identified sectors: childcare; cleaning; retail; cafes and restaurants; aged care; and clerical. It was not intended that the interviewees be representative of the population as a whole. We sought women with a range of characteristics so that, overall, the following types were represented: sole parents; women in dual earner households; women with children; women without children. We sought women working under all possible regulatory instruments: an award; collective agreement; individual agreement or AWAs. We sought women working as casuals; as part-timers; as full-time employees. To meet ethics requirements, only women aged eighteen or over were interviewed, although it was noted that women under that age were being affected by *Work Choices* and some were keen to talk to the researchers.

In all we were approached by twenty-two women. We rejected eight for a number of reasons. We were unable to interview at least one woman because she was:

- under 18 years of age (we only interviewed women who were 18 years or older);
- in an occupation that placed her outside of the identified and agreed areas of inquiry;
- unable to report any change to her employment conditions in the period the study;
- not able to show that changes at work were a result of *Work Choices*;
- not in paid employment during the period we investigate.

Who we interviewed

For the ACT project, a total of fourteen women were interviewed. They met and covered all the criteria identified in the WESKI Report.

The women who were interviewed had the following characteristics:

- They were from seven industries. As outlined previously these were industries identified in the WESKI report with some variation according to subsequent information and local circumstances.
- The industries and occupations covered were: cleaning, retail, cafes and restaurants (described in this report as hospitality), clerical work, aged care, childcare, and transport.
- The women were of a variety of ages: four were in the 18-24 range; five between 25 and 44; two were between 45 and 54; three were 55+.
- Nine were union members.
- The women were divided almost evenly between sole and dual earner households.
- We spoke to casuals, part-timers, and full-time employees.
- Employment arrangements were diverse: covering most forms of workplace agreement or contract.
- Six of the fourteen women were supporting children.

In accordance with our Ethics Protocol, the interviewees were not paid but were given a gift voucher for their time and effort.

Appendix 6 summarises sets out the characteristics of the women interviewed.

Note: One of the women was employed in different jobs, as a clerical worker and a care worker, in the study's time frame. In both jobs she experienced change due to *Work Choices*. She is counted here as a clerical worker, her job for the longest period in the last twelve months.

Interview process

The interviews were conducted by phone and lasted between 20 and 60 minutes. All interviews were recorded and professionally transcribed. The pro-forma (see Appendix 7) included questions relating to:

- changes in the workplace as a result of *Work Choices*;
- the impact of these changes upon the interviewee;
- the opinions of the interviewee in relation to changes in the national regulation of work.

While guided by the pro-forma, interviews were open ended and interviewees were encouraged to answer questions in a 'natural' and 'conversational' way and researchers were flexible in using the pro-forma in a way which best suited the circumstances being described by the interviewee, rather than adhering strictly to the order of questions outlined in the pro-forma. Once the interviews had

been transcribed, they were checked for word accuracy, and only then were they analysed by the researchers.

The interviewees had the right to terminate the recording at any stage. Their identity would not be revealed. To maintain confidentiality, real names were not used. Pseudonyms and occupation are used to identify quotations in the report.

Why they called us

The women we spoke to responded for a number of reasons. Their motivations are made clear in detail in the material which follows. Here we should signal that they all wanted to talk about the downside of *Work Choices* and that they felt that ‘something’ should be done about the news laws. Confidentiality was important, with many of the women commenting on the fear that they and others had about job security today. Typically, they saw themselves as hard working, as women without any general animosity to ‘the boss’; in most cases they saw themselves as not very ‘political’. They were pleased to be able to talk about the issues that affected them directly but also more broadly. Often their concerns were for others – other women, customers or clients – as much as for themselves. And more than one woman had wider hopes, as did this childcare worker when she talked about the laws:

the more people start to see and understand that they aren’t fair and it is happening just to everyday, normal people for no reason. And if people start seeing that then maybe we’re a little bit closer to getting them changed (Mel, childcare).

Changes at work: the impact of *Work Choices*

Standards

The legislation appears to aim to protect minimum standards while delivering flexibility to both employers and employees in ways which are mutually agreed and beneficial to both parties. The experiences which these women have undergone and which are recounted in these interviews are strikingly different.

Income

The most common concern was penalty rates. Penalty rates had been reduced or removed altogether since March 2006 when *Work Choices* became fully operational. In aged care facilities, this change was particularly noticeable. For example, after detailing a number of general concerns and uncertainties about the workplace, one woman mentioned, almost in passing, 'I forget to tell you, Saturdays and Sundays they pay much less, much, much less than used to be on the weekends' (Sonja, aged care). Another agreed, and was still more explicit about the link to the new laws: 'Penalty rates have been cut. We used to get 100 per cent for Sundays and we only get 75.' The interviewer confirmed this asking if that was 'since March last year' and was told firmly, 'Yes' (Chrissie, aged care).

Hospitality workers who had been put onto, or threatened with, AWAs in Canberra were confused and alarmed about changes being imposed upon them, changes which affected their earnings:

People weren't getting paid properly, they weren't getting paid the hours that they'd worked, they weren't getting paid overtime, and what they put on their timesheets wasn't what was coming through on their payslips. So that sort of created an atmosphere of unhappiness because people seemed like they had to fight to get paid the money they were earning (Jo, hospitality).

A cleaner facing the same situation attributed falling pay levels directly to *Work Choices*, and to the associated cost-based competition between contractors:

But now with AWAs basically it can go down as low as they like. And contractors will do anything to get a contract so you just have to speak to cleaning staff to make [agencies] accountable for the amount of money they put into contracts to use reputable contractors who only pay award wages and to do it that way (Janis, cleaner).

As with many other interviewees, this woman was able to identify a solution as well as articulate the problem.

In retail, one interviewee was unhappy about unilateral changes to bonus payments, and concerned about the effect that a new, post-*Work Choices* scheme would have on her earnings. She told us that her employer had changed the incentives, 'our bonus scheme', without discussion. The interviewer sought to understand the processes at work her, asking of this had been 'done by negotiation':

Interviewee: No, that's another thing that they just tell us that happens.
Facilitator: Right. Okay. That happened what, at a different time or you got that at the same time...
Interviewee: It was around about the same time. Yes.
Facilitator: All right. So your incentives thing – incentive system was changed.
Interviewee: They sugar coat it to make it sound better but I don't think it is (Louise, retail).

In all, then, the best that can be said about the impact of changes in law on income is that standards have stayed the same. But many women reported a decline in, as well as uncertainty about, earnings. Furthermore, the flexibility associated with change has typically been experienced as – and is described in terms of – enhanced managerial control.

Hours

As a number of studies have noted in recent years, changes in the hours of work have been among the most significant features of working life in Australia. There has been much debate about what drives these changes and whether they are good, bad or of no account – but no-one doubts the extent of the change. To the women interviewed for this project, it was quite clear that *Work Choices* had allowed employers to drive this kind of change further and faster. Would employers take advantage of this?

For the women interviewed, there certainly had been changes in hours of work, and working time arrangements more broadly, since *Work Choices*. The changes worked out in a variety of ways – longer shifts, shorter shifts, more time required at work, less time required – but in all cases the changes occurred with little, if any, notice to the women concerned and without any discussion with them.

In aged care, it seemed to some women that more work was expected of them (more on this below), and that changes to working hours and shift arrangements followed directly from the new laws coming into effect. In one facility, shifts were shortened but staffing reduced – so the clients did not have ‘a full carer for the whole night’. The woman complaining about this in her interview was a supervisor. She was not much affected directly. For her the problem was that ‘a lot of people wouldn’t pick them [the shorter shifts] up because it wasn’t worth coming in for the four hours’ (Chrissie, aged care). Clients as well as employees suffered.

In another aged care workplace, the first change at work that one of the interviewees mentioned, quite unprompted, was precisely the same: ‘they cut hours of work’. She went on to say:

Already they cut me in the last two weeks from six hour and 45 minutes; they cut me another 45 minutes. I don’t understand why because they need somebody to stay here with these people (Sonja, aged care).

So for this woman, too, the impact of management decisions under *Work Choices* was not simply confined to its effect on employees. It affected the quality of work and in this case the quality of care, points to which this report will return.

Other women working as carers – in this case disability – were struck by how unpredictable their hours of work had become: ‘they’re all over the place’. The woman we spoke to in this case was working more hours than she wanted to do, but she said that she was putting up with the ‘high number of hours each week’ in the hope that she would secure ‘the permanency that the job’ had promised when she had seen it advertised (Marianne).

And for one of our care workers, it was clear that hours and shift arrangements were not up for discussion: she ‘was told that they could be taken or swapped whenever they [management] chose to’ (Chrissie, aged care). We will discuss the context for these kinds of developments in more detail below when we examine managerial prerogative.

The retail trade’s hours of work and payment for penalty rates have been among the most contentious areas of the *Work Choices* debate. We spoke to one young woman who reported that the

full-time staff in her workplace – of whom she was one – had not worked public holidays at all before the new laws came into effect. Now, however, they were all required to work every second one. There was no formal change to any written contracts:

they just told us then and there and that's what was going to happen and they've become quite strict about it it was a bit of a surprise actually (Louise, retail).

In other words, in this instance too, the change was not only for the worse but was unilaterally imposed after *Work Choices* became law. These changes to hours and working time arrangements more broadly are indicative of an enhanced managerial prerogative – a matter which will be discussed more fully in a subsequent section of this report.

Work processes

The changes to working time and shift arrangements suggest that, in the sectors analysed in WESKI and in this report, some employers have been taking advantage of *Work Choices* to go down the 'low road' of price-based competition and therefore labour-cost cutting. It should also be recognised that in some cases this is driven by funding limits or by the effects of contracting out. These root causes pose policy questions beyond those of employment law. However, for the moment, we focus on *Work Choices* because we want to assess the impact which it has had in these contexts.

Care workers felt that workloads had become 'a heck of a lot heavier' since *Work Choices*, even under existing industrial agreements. One explained that this was about an emerging set of norms in the workplace, and that it impacted on the workforce in direct and measurable ways:

You are expected to do a lot more than previously. There is no doubt about that. You're supposed to get a ten minute break and a half hour break. I think I can count on one hand in ten months the time I've had the half hour break and the ten minute break I've never taken. There just isn't the time. You're one person in a cottage with 15 people – you just don't get the time (Gillian, aged care).

The 'multitasking' that took place here was understood as a direct result of enhanced managerial prerogative under *Work Choices*:

It was a directive. There was no discussion whatsoever and everybody was up in arms about it ... it was a fait accompli, it was done, it was a directive (Gillian, aged care).

As was the case with almost all the interviewees who complained about work changes at work, this woman wanted it to be understood that she liked her job and was not a shirker. Hard work she said, 'doesn't bother me, I've always worked hard ... but the workload is heavier' (Gillian, aged care).

Another aged care worker said that workloads had increased after wage increases. This change effectively wiped out any benefits from that increase: 'we went multi-skilling as well so it was also more duties' (Chrissie, aged care). And staff numbers and workload varied according to other factors too:

at times we would have enough staff, particularly if it was accreditation. It was amazing, you'd have too much staff, but after that that would all drop and they'd cut the shifts or you would be back to being short staffed (Chrissie, aged care).

This multi-skilling certainly changed the workplace:

We lost a lot of good carers. Also just the way they put the multi-skilling across is that we wouldn't lose all our what they call level one carers that help out in the kitchen but we did. They are still there but they put the hot food on and you do the rest and then they come back and take the garbage and what dishes they need to take back to their main kitchen and that's it (Chrissie, aged care).

This meant that workload had changed 'a lot':

you really should have two carers to a cottage. That's very rare. And sometimes when you're extremely short staffed you will do two cottages (Chrissie, aged care).

There were similar experiences in childcare. Once again, cost cutting had led to staff cuts and carers having to do more. One woman reported that: 'it became a lot harder. I'd have to do everything. A lot of the times the room wouldn't be following the ratio [of carers to children]' (Kasey, childcare).

So too with hospitality: 'there was more work to do and less people' said one woman:

There were more people who came on as casuals so you didn't have the continuation of work during the day, you kind of had to work out what had been done and what hadn't been done and things had been started and not finished. Because I worked in the afternoons there was a lot more work to do (Jo).

Security

Loss of job

The changes to unfair dismissal law have been among the most controversial aspects of the *Work Choices* regime. Few of the workers we spoke to in the ACT had been dismissed since the laws took effect but one who had, a childcare worker, provided a good example of why there has been so much concern about the laws.

The first issue was the manner of dismissal. Mel told us that on what seemed 'a normal day' she was called into the 'boss's office'. This is what unfolded:

She was in there with another lady who I didn't know and she gave me a piece of paper and said your service is no longer required. You have ten minutes to get your belongings and leave the premises or the police would be called. And obviously I was so shocked as it is, I had no idea what was going on so I was like, what - what's going on? And she wouldn't tell me and I pretty much said you can't just fire somebody because you don't like them. Her response to me, to that, was watch me, and I was like, oh, OK (Mel, childcare).

Second, there was the basis for the dismissal. The scope for personality clashes or a manager taking 'a set' against an employee seems to have been enlarged. This particular woman claimed that she had been given no reasons:

No reasons whatsoever, except for the fact that I knew she didn't like me. We'd repeatedly had a few run-ins on previous occasions about a different issue and she pretty much said to me, if I could get you out you'd be out, sort of thing. But, I mean, I didn't really realise that she could do that. Obviously she could (Mel, childcare).

Nor was there any indication of prior problems:

I had no official warnings on my record or, I hadn't been counselled or anything like that. There was no legitimate reason like, you know, I'd been coming to work drunk or anything ridiculous like that (Mel, childcare).

What had changed? The law, through *Work Choices*. In this case, the connection between the changed laws and the action by the manager could not have been clearer. This woman said that she was sacked the very day that:

these new laws that came in, the IR laws; the day of the laws she sacked me It was just purely because she just didn't like me and she could do what she wanted now (Mel, childcare).

Other women reported that the new legislation on dismissal had a noticeable impact on how their managers acted in the workplace which in turn impacted upon employees' state of mind:

It seemed like as soon as these laws came in the bosses of all these places and that felt like they were ... if you don't do it the way I want it you're gone, you know what I mean (Donna, aged care)?

One of our interviewees, at this stage working in a law firm, had been dismissed in unusual circumstances. She got the news when she received an email at home on a Sunday night. The woman recalled that her supervisor 'sent me an email saying I am reviewing your work and she was not happy about it and she'd given me the sack' (Marianne, clerical worker).

The sacked worker was in no doubt about the link to *Work Choices*:

I was absolutely outraged that without any warning, there was not warning about my work or anything like that and as far as I could see from the politics going on in the organisation basically she hired me over the busy period for her law office – because I was doing conveyancing – and then just decided to lay me off because she was a very small firm under 100 employees, just to suit herself. That's my perspective anyway (Marianne, clerical worker).

In another case, the threat of action post-*Work Choices* was a signal about change: 'I was threatened [with the sack]', said an aged care worker, 'a number of months ago when I actually took a couple of months stress leave' (Chrissie, aged care).

Finally, we report on the experience of Debbie, a middle-aged woman working in aged care, for eighteen months with her most recent employer:

Facilitator: Okay, first of all could you tell me how you lost your job?

Interviewee: I was diagnosed with lung cancer and I had rung the office on Tuesday, I didn't work on Tuesday, this was the direct day after the Easter weekend so no one was at work on Monday and I'd been told on the Thursday prior to Easter. I rang the office and told them that I had been diagnosed with lung cancer and that from time to time I'd need time off for tests because most of the tests were done in Sydney. And when I turned up in my uniform ready for my shift on Wednesday as I walked down to the wing I worked on I was called to the office and the lady, ---- her name was,

sat me down and said that they no longer required me as I was too sick to work (Debbie, aged care).

Debbie went on to say that she had been offered an alternative: she could continue as a volunteer.

These accounts speak of a very significant change in the regulation of employment relations. The impact goes beyond the dismissed women themselves. As we will see, the threat of the sack feelings of greater job insecurity, are being felt in other ways by other women.

Change in nature of contract

As the Commonwealth seeks to change the nature of regulation, the promotion of one form of individual contract, the AWA, is of course central. Accepting an AWA can be made a pre-condition of employment, while company restructures or the hiring of new contractors may also open the way for the enforced introduction of AWAs.

Our interviews turned up a number of women who had been resisting pressure to sign AWAs. One was a cleaner, who found the situation 'very stressful' (Janis). It was:

the easiest way to lose weight. ... and that constant worry of knowing whether or not you're going to be employed. I took it very personally because ... I had been there for 32 years and we had this nice little arrangement; I was paid off in wages and they got a good job done. Then all of a sudden they've thrown me to the wolves and they don't care (Janis, cleaner).

While this woman was still working under the award, another found that she was simply not offered any shifts until she would sign an AWA (Jo, hospitality). This woman had to register a complaint and then complain directly to the management:

I haven't worked for them in the last three months. But I believe that's mainly due to the fact that there was an issue where they wouldn't assign me if I didn't sign the new contract. And I've taken them to the appropriate government agency for that and I haven't really had much work since then ... it was only when I went in and asked why I wasn't getting shifts, that I got a shift (Jo, hospitality).

Month after month this went on, with the woman and her managers leaving each other messages and having incomplete and unsatisfactory discussions. Matters came to a head:

And one of the final messages that was left was, if you don't sign it we're going to fire you, so it was very difficult to get someone to explain it to me ... And that's when the message came that there was no time to discuss it – if I didn't sign it then I'd be fired (Jo, hospitality).

In this case, the woman jumped before she was pushed. Despite having enjoyed the job, she sought employment elsewhere, finishing up with a better paid job, in the award system, although now having a greater journey-to-work time.

In her response to the AWA in the old job, money had not been the sole issue. There had been 'a slight pay increase' on offer. Overall though:

in terms of the contract that was given to me, I was never really happy with it. And I was never given the opportunity to discuss it. And I know some people that worked with me

who did try and discuss the contract. They weren't employed when the new company came in. If they wanted to discuss the contract, they were pretty much just not taken on (Jo, hospitality).

In recent years, there is some evidence that there has been an increase in various kinds of informal arrangements as well as, and alongside, changes in formal regulation. In turn, this means that awards and other agreements are simply ignored. There were some instances of this kind of things in our ACT interviews – and of women's obvious concerns about it.

A woman who moved from clerical work to disability had been working under such terms. Her conditions, she said, were:

even less than John Howard's offering. Like there wasn't even any sort of written agreement or anything. I was just sort of working there under verbal conditions. I know I shouldn't have done it, but when you are in my position you don't have someone to support you and you're reliant on your work skills to work, well you don't have any choice except to work basically; you have bills to pay (Marianne).

Others reported that there was little by way of formal difference in conditions since *Work Choices*, what was written in agreements and what actually happened had diverged because 'the company wasn't actually paying out the loadings properly'. This woman went on to say that the problem did not lie 'in the contract. Just in practice, they weren't paying people properly' (Jo, hospitality).

Finally, we report that there is very considerable uncertainty about regulatory arrangements. It is not just that people have trouble with the complexity of changes under *Work Choices*, it is clear that there is some uncertainty about things as basic as what sort of contract people have. Other research has identified that lack of very basic information is a marked problem. Some of our interviewees confirmed this.

One carer complained that she did not understand why staff cuts had been made or how hours of work were decided. She went on to say that her concerns were wider:

They stick the memo on our board to inform us they change for annual leave they don't pay ... it is a big change here. I can't tell you exactly what this change is but it's changing and we have girls who are pregnant and they go in maternity leave and they don't know ... they're not informed what the new laws is. They are very confused (Sonja, aged care).

Others showed uncertainty, which has been quite widely reported in recent times, about the nature of the instrument determining their conditions of employment. Thus, when asked whether the workforce had been 'moved from an award or a collective agreement to an individual agreement' one aged care workers responded hesitantly: 'As far as I can understand yes' (Chrissie, aged care).

It was clear from other women that this confusion was not because of failings on their part. For example, one hospitality worker summarised her understanding of the shift from collective agreements to AWAs at her workplace. It reveals the complexity and confusion in the process and, in passing provides another example of perceptions of heightened managerial prerogative:

Well the story is that they didn't lodge the original AWAs with the Office of the Employment Advocate. But they didn't tell any of the staff that that had happened. So they weren't fined for having the legal provisions in their contract. But that provision has been changed in the second round of contract There was some sort of blurb about

how the termination would be in line with all of the company's human resource policies and that they would be due process and that. Even though, directly after that, there was a clause saying that they would fire you for any reason. The bit that talked about due process had been taken out (Jo, hospitality).

When interviewed, this woman was still unsure of the status of their contracts – 'that matter's being determined in court, I think' – and was in any case not being offered any shifts (Jo, hospitality).

Similarly, there was little attempt to help Sally, a young retail worker, understand her options when voting on a new workplace agreement – and ballot which was not overseen by the Electoral Commission but which was purely internal:

It was from my company, definitely I actually can't remember the specific details of it. But I remember it was definitely either just a yes or no to agreeing to the proposed workplace changes, which I think had to do with the workplace agreement reforms (Sally, retail).

Further questioning revealed just how unclear – and individualised – this process was. One manager was driving a series of workplace changes but when he left, employees were extremely unclear as to where they stood, not only in relation to work practices but to the very nature of their contracts of employment.

That there is little feeling that recourse and procedural fairness remain in these workplaces is alarming enough. That many of these women are simply so uncertain about their status, let alone rights, is deeply troubling.

Managerial prerogative

Practically all the women we spoke to had been affected by enhanced managerial prerogative since *Work Choices* came into effect. They found that managers had much more power while their own voices as women in the workplace had been all but silenced. Women felt these changes at work very keenly indeed. In some cases, their responses deserve to be quoted at length because they show just how deeply felt and thoughtfully expressed are these concerns.

One woman working in aged care said that with *Work Choices* the changes were prompt and clear. The local employers:

became a little like in the movie with Charlie Chaplin [*Modern Times*] and they start to boss us around and especially people like me with the accent, I have eight years in this country and, you know, my accent never going to lose me (Sonja, aged care).

Others were still more specific about the changed managerial behaviour, as the following exchange, about changes in hours of work in an aged care workplace, makes clear:

Facilitator: So with these changes were any discussed with you beforehand, either directly or through the union or something? Were any discussions had about why changes to leave provisions, why changes to hours? Were any of them discussed with you before?

Interviewee: No. Nobody asked me nothing. They changed my hours, nobody tell me. They say it's alright under the new law and they don't care when I was asking why you don't inform me maybe I was here everyday and you

show me why you don't tell me, they say why after the new laws, *Work Choices*, we can do everything. I say why you have choice, why I don't have choice, why choice is only for you.

Facilitator: And what did they say?

Interviewee: They are laughing, 'go away' (Sonja, aged care).

Managerial prerogative matters in itself because of its impact upon relationships in workplaces, what some people call the 'psychological contract' between employers and employees. But it also matters because it affects material working conditions and may affect wages and hours, as we have already seen. These issues are interwoven. In one aged care workplace, as soon as a wage increase was awarded to employees, managers unilaterally changed work arrangements seeking to get more value for money from their staff. New duty statements were immediately written and carers were now required to do 'lots of kitchen work as well as the caring' (Donna, aged care).

There has, of course, been much political, legal and academic debate about the laws and about terms such as 'deregulation' and 'choice'. As important and necessary as these debates are, it is interesting to see that working women themselves will often cut straight to the core of the matter. Many of the issues discussed in this section of the report are best captured in this succinct exchange which arose in discussing maternity leave entitlements:

Facilitator: That's because she hasn't been there for a year so they're sort of sticking to the letter of the law in that regard.

Interviewee: Yes. Well, it sounds like they're under their own law (Chrissie, aged care).

Greater managerial prerogative is not simply experienced as *uniformly* poor treatment of all employees. Some workers feel that favouritism and therefore uneven treatment of their number follows, as this experienced worker in aged care reported:

where I'm doing the enrolled nursing course now, I had to write a letter in to say, you know, are you going to support me, they did support me with the fees but every other person that's doing the enrolled nursing course there is getting paid to do study, I'm not (Donna).

The interview went on:

Facilitator: So for some reason other people are getting the time paid to study but you're not.

Interviewee: Yeah.

Facilitator: And do you feel like there's a reason for this at all?

Interviewee: It's just the way [the manager] is. If she likes you she likes you; if she doesn't she doesn't. She feels that I ... you know, like I've tried, to be honest, help the residents over these years and it's not just me. If she feels there's someone who's going to make trouble for her she'll make sure that you don't get anything (Donna, aged care).

In those cases which have reached the press in the last twelve months or so, much has been made of the fact that these are merely 'bad bosses'. But, as we argue elsewhere in this report, the women we listened to felt that the difference was that the new laws *allowed* management more latitude – and many managers were taking full advantage of it.

Two examples of how women working in care provision perceived heightened managerial power and their own loss of voice make this quite clear. In one case, changes in power – and attitude – were explicitly linked to changes in the law:

The biggest change would be the inability to complain. Say you're not satisfied with such and such ... and the stock standard answer is well you can leave. That's probably one of the things that I've noticed since then, since *Work Choices* came in (Gillian, aged care).

In the second case, the issue of redress – the next topic to be discussed in this report – came up. When a childcare worker went to the union over staff cuts and work changes, there was little satisfaction. The union response was 'that with the new laws ... she was in her rights and pretty much there wasn't a lot we could do (Kasey, childcare).

Workplace voice and access to unions

These women have not been getting a real say in their relations with employers. There is, as we have just shown, more work and less choice under *Work Choices*. A necessary corollary of effective choice would be 'voice', that is, a say at work. However, *Work Choices* imposes significant restrictions on unions. Their rights to have access to workplaces have reduced been wound back. Employers have no obligation to inform employees of a right to union representation. These changes make it more difficult for officials to meet with union members, to discuss workplace issues with non-members or to police agreements. *Work Choices* also diminishes voice and access in very basic ways; for example, unions are not permitted to bargain over matters that pertain to representative rights; 'protected' industrial action is extremely narrowly defined (see Cooper and Ellem, 2007 for an overview).

Some of the women in the study did call on a union for assistance but most did not or felt that they could not. One who did (Marianne, clerical worker) had spoken to her union about an AWA offer. She felt powerless and, interestingly, said that she was '*hurt* by not having any power in the relationship in that ... job (emphasis added)'. She went on to say:

I just thought well I'm just going to contact the union if I have troubles because I just don't have any confidence in negotiating with employers. So that's why I contacted them (Marianne, clerical worker).

Childcare and aged care workers were among those most affected by loss of union access. External support and interest, notably in high-profile cases attracting media interest, seemed to be among the more certain ways to attract support – and for unions to be effective. The other side of this was that union effectiveness in the workplace itself had been much reduced. Union support through a publicity campaign on behalf of one dismissed woman impressed co-workers still employed:

They [the union] did like media exposures and stuff like that. Helped her take it to the paper to try and just make people aware of what was going on (Kasey, childcare).

For another, tensions in the workplace increased after it became known that the woman had contacted the union about changes in her hours of work. The result was that she decided to lie low at work: 'after that I shut up and stay in my place and they left me alone' (Sonja, aged care).

There was no necessary loss of support for unions after *Work Choices* but women felt that the laws had rendered their unions powerless. This is made clear by the following exchange:

Facilitator: And would you feel comfortable in contacting the union for assistance?

Interviewee: Yeah. As I've said, with the new work changes and laws it's not like they've got that much to offer.
Facilitator: And you previously would have contacted them?
Interviewee: Yes (Chrissie, aged care).

Even one of the bus drivers to whom we spoke felt that unions were of little use now:

I don't see what more they could do that I couldn't do ... I don't think there's anything they can do in today's society really. Under these new IR laws, you're damned if you do and damned if you don't. There's no place for unions nowadays (Rose)

Many of the women knew that they needed to know more to be able to make choice and voice effective – and that a *union* voice remained important. In the words of one of the woman working as a kitchen hand:

I believe that the idea of the Award and the involvement of unions is important because people aren't born with knowledge of their rights and they don't know, when they get a contract, what is legal and what isn't legal, unless they have a relevant law degree. So the unions are not just useful, they're necessary, to help people get the best working situation (Jo, hospitality).

Similarly, one woman who had just changed jobs said she that had already contacted a union for help over a proposed AWA. She went to say something which draws out many of the themes throughout this report, not simply in this section:

I do realise that there can be consequences for that [having contacted the union], but I'm so hurt by not having any power in the relationship in that law job that I just thought well I'm just going to contact the union if I have troubles because I just don't have any confidence in negotiating with employers. So that's why I contacted them (Marianne).

It seems, then, that the women were saying that individual voices were not being listened to. Traditionally, of course, the main way in which employees found voice was collectively, through trade unions. The women we spoke to were strongly of the view that this channel had been all but cut off.

Effects on the worker

Earlier, we reported on Debbie, dismissed soon after *Work Choices* became operational when her employer heard about her cancer diagnosis. This woman's story is quoted here at some length, not just because it more or less speaks for itself, but because it touches on almost aspects of how changes at work can reshape people's lives and their sense of themselves:

Facilitator: So what affect has this had on you?
Interviewee: It's made me really sad and because I live at home I kind of went in to depression and just stayed in my bedroom. I'm a real bookworm and I've read about six books since I've been dismissed because I just stay in bed and read and read. And then I have a daughter ... all of my sibling, family and my parents live in Brisbane and I have a daughter that lives in Brisbane and she wanted me to spend Mother's Day with her and with my mum, so she flew me to Brisbane. That was my Mother's Day present. What was the question? I forget what I'm getting at.

- Facilitator: I said how did the changes ...
- Interviewee: Yeah, just made me really depressed and sorry for myself but now I've decided to snap out of it. I can't live like this. I have to get off my bum and do something about being sacked from work for no reason. I mean, I know they have they have this new thing where they don't need a reason but I think that is really unfair dismissal. So what I've got lung cancer, it's not catching I mightn't live forever but, you know, it's not going to kill me in the next three months is what I'm trying to say. I could have stayed at work ... and I do go back and visit the residents because I just love them and some of them have no families at all or nobody cares about them. They don't get visitors.
- Facilitator: So was there anything that you didn't like about your work?
- Interviewee: Getting sacked (Debbie, aged care).

Fear and uncertainty

One of the most compelling and alarming aspects of the findings is the emergence of a climate of fear in these workplaces – and the impact of this on individual women workers themselves. This fear springs out of many of the issues discussed thus far, notably the growth of untrammelled managerial prerogative, loss of employee voice and changes in working conditions and practices. It is in some respects difficult to untangle it from these other factors. However, so many of our respondents spoke about fear that it is important to report these findings as a separate matter, and to do so in some detail.

One of the aged care interviewees herself made a link between workplace grievances, lack of voice, legislative change – and fear:

Your voice isn't heard. You know, you could have a number of carers complaining about the same thing but then when it comes to the crunch no one wants to complain because they're threatened, you know, in the respect of well this is the way it is if you don't like it there's the front door (Chrissie, aged care).

The growing fear played out in several ways. For one aged care worker, phone calls to the union and 'the *Work Choices*' [hotline] were no help:

I was scared to tell the union more details about my place of work, I told some and after that I was in trouble because they want to ... how can I say to be polite in English, I say what the people teach me, they want to kick me out.

When the interviewer sought clarification by asking if this mean problems once the employer knew she had contacted the union, the woman replied: 'Yes, but after that I shut up and stay in my place' (Sonja, aged care). This woman was distressed by the impact of the new laws and management practice. Things had changed, suddenly and for the worse:

People they are in a panic. I am in a panic because of this. Because we don't understand 100 per cent, we know we are small people but we understand they want to manoeuvre us (Sonja, aged care).

New workplace norms

The regime of fear is not simply about a few individuals' reactions. One woman located the problem in the changing laws and fear among women in particular of losing their jobs: 'they're frightened of losing their jobs or speaking up ... because it's like we don't have the union to actually back us up anymore' (Chrissie, aged care).

This interview exchange went on to discuss not just this aged care worker's own concerns about security and the like but also her perceptions of changes in norms at work, and the implications of those changes:

- Facilitator: So how secure do you feel?
Interviewee: Well, I've been there a long time so I know management and I know ... like I say, they've tried to get rid of me a couple of times but I certainly dig my heels in and go to the human rights side of it and also for the residents. I make sure I go in there and do my job properly so that they can't sack me. A lot of people are just frightened because it's like being ... you know, you might get pulled in the office for something and they'll give you the spin of, you know, duty of care et cetera, and they're the ones that actually breach the duty of care (Chrissie, aged care).

Another aged care employee said that the atmosphere at work had 'changed a lot'. Managerial control had transformed behaviour at work – and it was not for the better:

And the people they spying each other and go to tell to the boss because the boss wants this to keep the control. We have hidden camera in every ... I think in the bathroom, this is ridiculous because what you can do here I don't know (Sonja, aged care).

In childcare, too, women reported changes in 'the general atmosphere at work' but not the changes which the framers and backers of *Work Choices* were claiming would flow from legislative change. After a junior member of staff was summarily dismissed by a childcare provider:

the atmosphere got really bad because everyone kind of felt the same insecurity. The parents weren't happy; the children were thrown out of routine, confused. It wasn't a very nice atmosphere to work in (Kasey, childcare).

The strongest statement about these changes, the problem of fear and changes in workplace norms came from a woman with many years experience of working in aged care. Her remarks deserve to be quoted at length as they provide one eloquent statement of the *breadth* of change in and beyond the workplace as experienced by an older employee:

There's an atmosphere of fear ... you can't say that [and] if they say anything you don't like they have what I call dobbers ... Now once upon a time that would have been frowned upon and absolutely a taboo thing to do but these days I mean I have to say I don't care. I couldn't care less. But a lot of people do and a lot of people feel that very, very physically that they're threatened in that respect, that they're not allowed to say anything out of turn and if they do they're going to get hauled over the coals or lose their job. And this is how they keep people in line. And the fact of the matter is that once upon a time that would not have been allowed. But these days it's almost encouraged. Under *WorkChoices* it is encouraged (Gillian, aged care).

Job Satisfaction

None of our interviewees reported that anything that had happened since *Work Choices* had improved their personal sense of job satisfaction in the job they held when the laws came into effect. The only women who did say things had improved were those who had quit their jobs and taken other ones. As we have seen, among the results of greater managerial control was that staff numbers had been cut and work processes unilaterally altered. These changes worried the women we spoke to, not just as employees but as people who valued their work and wanted to be able to do it properly. For example, one childcare worker explained the impact of reduced staff numbers thus:

It means that the children are not getting the care that they require. It put me under a lot of stress. Parents weren't happy because their children were unsettled and they weren't able ... like it made it harder for them because they didn't ... because the shifts were split and you'd be on a morning or an afternoon shift there wouldn't always be someone there that their children were used to or that they knew and were comfortable with (Kasey, childcare).

The researchers were keen to know that this situation was a result of *Work Choices*. The interviewee was in no doubt: 'with the new laws and that she was in her rights and there wasn't a lot we could do' (Kasey, childcare).

That concerns about declining job satisfaction was so closely tied to taking pleasure in doing jobs many today regarded as low status was revealing. This fact also pointed to areas of government policy beyond industrial relations laws that were of concern. Women working in areas as diverse as hospitality and aged care bemoaned the increasing use of agency workers since the advent of *Work Choices* – and tighter funding. Said one:

We weren't allowed to employ as many people but the company still required people to work so they now use employment agencies to get staff in to do the work, so there's not regular staff (Jo, hospitality).

In aged care, one woman reported that the quality of work – and care – had declined because of cost pressures and *Work Choices*. The company was now short staffed and the 'agency brought in to the facility staff that were untrained'.

Facilitator: And in what capacity? Would they be doing the kitchen work or the caring work or?

Interviewee: The caring and kitchen as well (Donna, aged care).

Other employees at different facilities had similar stories and similar reactions. The workers showed a commitment to those for whom they cared that we think merits better treatment and pay:

I mean, we wouldn't be there if we didn't care about them [the residents] and it's like yeah okay I'll do it. So it's like an obligation because you know what it's like to be short staffed yourself and particularly the bottom line is that it is your residents that are affected the most (Aged care Chrissie, aged care).

This woman explained that cost pressures were being alleviated not just by changes in working conditions but by the use of agency workers. This concerned her because although 'a lot of them are very good but there's a majority of them that come in and don't do much at all' (Chrissie, aged care).

Facilitator: So you have quite a few agency staff?

Interviewee: We did but we had a major, major problem with it and now, this is the hostel only, we don't have agency staff, but the nursing home does. We had such a huge problem with it, yeah. And the agency that we were with was also investigated and pulled out from what is my understanding (Chrissie, aged care).

And for other aged care workers, job satisfaction had evaporated: 'the staff morale is really down. There's a lot of bickering because of the staffing levels'. More than this though, the women were, once again, worried about their ability to deliver the services they wanted to: 'the actual care is below average ... there are things that aren't being done to care for the residents (Donna).

This report has already provided instances of hours and shifts being affected by the twin changes of *Work Choices* and inadequate funding in the aged care sector. Another interviewee pointed to still more effects, namely the quality of care for clients and the sector's ability to attract staff. Combined, these affected the job, employees and clients:

I could write a book on the incidents that have happened in the ten months I've been there with the fact that we're got two dementia cottages with one person running each cottage of 15 people and you need eyes all over your body. It doesn't matter what you say, nothing changes. They just won't put on ... they put on itinerant people, they're itinerant workers ... and they rely on these sort of people to look after our frail aged and our dementia people and it's wrong (Gillian, aged care).

Hard workers, in some cases conscientious supervisors, often bore the brunt of these changes:

I kept saying to the manager I'm not coping doing the supervising of 60 something residents, ten staff, doing medications through the cottages, there's four cottages. On the cottage that we didn't have the staff to fill I had to do that plus the kitchen, plus the rest and I kept saying to them I'm not coping, I'm not coping. It'll get better, it'll get better, that's what they kept saying. And then they employed somebody that didn't have the qualifications to do the supervising day job which in turn was putting more pressure on me because I was working in at 3 o'clock and having to do say his job as well (Donna, aged care).

In childcare, the story was similar: One woman claimed that 'the children are not getting the care that they require'. Neither workers nor parents were happy:

It put me under a lot of stress. Parents weren't happy because their children were unsettled and they weren't able ... like it made it harder for them because they didn't ... because the shifts were split and you'd be on a morning or an afternoon shift there wouldn't always be someone there that their children were used to or that they knew and were comfortable with (Kasey, childcare).

So it was with cleaners: pride in work, unfulfilled:

The other thing that upsets me is that we seem to have become a country that accepts the fact that mediocre is okay and you don't have to do a good job; that any sort of job that nobody is accountable; that pride in workmanship has gone out the window and don't give a cleaner enough time that she can do her job properly and take pride and value in it; don't give a contractor enough money that he can employ enough cleaners to do the job

properly. Any sort of effort is okay and there is no accountability. But it is that thing that things don't matter and that's become very apparent (Janis, cleaner).

What has this to do with *Work Choices*? In this case, cost pressure had driven down wages and cut conditions. The means? AWAs.

To return to the central issue in this section: we were struck by how dedicated these women were to doing a good job whatever their occupation, be it cleaning a building or providing care to people. These heartfelt expressions – which we had not particularly sought out in our research – make plain that something employers and governments claim to value, namely committed workforces are right here under their noses.

Loss of independence

Changes in law and at work have immense impacts on women's lives beyond the workplace. This is clear in a number of ways. Some of the interviewees were worried about their independence and the other side of this: having to rely on men or family members. This is an especially worrying feature of the findings: that, in effect, women felt that their status as equal citizens was being undermined. Faced with dismissal, one woman reacted like this:

I thought, well, here I am, I'm going to be reliant on a man again. That's what I was doing when I was married when I didn't have periods of work and I just don't like being in that position anymore, I want to be able to stand on my own two feet and support myself (Marianne, clerical worker).

For another, it was necessary to turn to family (and her union) for support:

Well, I'm a single parent with a three-year-old so obviously quite a lot. If I didn't have the union support and the support of my parents I would have been screwed pretty much, because I had nothing (Mel, childcare).

Health and stress

There is little doubt that health was affected by changes at work and that there were increases in stress levels for many of our interviewees. We have already seen that an AWA 'offer' had been difficult for one woman. The whole situation had been, she said, 'very stressful'. Here we emphasise that the woman concerned took the threat of being unemployed 'very personally' because she had been working with the employer for 32 years (Janis, cleaner). To the employer, and for that matter most observers, the issue may have simply been one of 'agreement-making' but for the woman concerned it was tied up with her sense of self and indeed her health.

Others reported, as have so many workers, that changes to shifts imposed after *Work Choices*, and especially working night shifts was a problem due to 'the way my body clock works'. A woman confronted with changes to hours at a disability facility said: 'I think the toll is that when I'm off the shifts because they're overnight shifts and these people that I look after don't go to bed at set hours. I am up late into the night and there are incidents that happen sometimes (Marianne).

In aged care, these problems were acutely felt. One worker said that she 'was worried and stressed because they're going to kick me out and things like that' (Sonja, aged care). She went on to say that she did not feel 'secure' and that she felt 'stressed all the time'. For her there was a tension between her health, what she felt capable of doing, and how she was coping with the changed and more stressful work environment. She expressed it thus:

I'll tell you I'm very healthy and I can work another 20 years I think. Anyway for the moment I'm very healthy and I'm stressed with my work, very stressed (Sonja, aged care).

In this case, trying to get redress for her workplace grievances (changes to hours of work) only compounded the anxieties. The woman concerned contacted the union, wrote letters to her boss and repeatedly sought meetings and explanations. Asked if any of this made any difference she replied:

Only in a bad sense. In a bad way because it gave me a lot of stress. I was worried and stressed because they're going to kick me out and things like that (Sonja, aged care).

That changes made by newly empowered managers directly affected women's state of mind is clear from this answer when another aged care worker was asked a very open question about what effects the changes the woman had described had had on her: 'Well, I went on stress leave for a month last year and it's still affecting me' (Donna).

Relationship pressures

Time pressures and heightened stress at work both played out in the personal life of the women who spoke to us. This, too, has been widely commented upon in literature about work pressures in recent years (most notably Pocock, 2003, 2006). Here, we were, once again, specifically concerned with impacts flowing directly from changes in national labour law. Some of the interviewees certainly felt that the changes under *Work Choices* had then flowed on to impact upon their lives in other spheres.

One of the women concerned about the imposition of new shift arrangements said the changes had affected her social life but felt that she had little choice, not just because of management's power at work but because of the need to make money: 'I mean, yes, we choose to do shift work but if we all worked days you wouldn't be able to pay your rent' (Chrissie, aged care).

Money earned and hours work could interact with each other in different ways too, along with considerations of journey-to-work times. One childcare worker, sacked when *Work Choices* came in, reflected on her changed circumstances. Her new job 'was a lot further away from home ... half an hour as opposed to like eight minutes'. Asked whether this made it 'easier or harder to balance work and non-work commitments', she replied:

It made it harder, in the way of being at home and being able to spend time with my son and stuff but it made it easier because it was a bit more money. So it was a bit of both, really (Mel, childcare).

Asked a similar question after hours of work had been unilaterally altered, an aged care worker said this:

My family life is down and we argue about this and my husband he tells me all the time to go to the doctor to relax myself, he tell me get a life (Sonja, aged care).

One of the retail workers, whose public holiday entitlements had been removed, said that the effects had been quite striking:

I will have to work that Monday and it sort of – I don't know – it's a time that I can be with my family and I've always used it as a bit of time with my family and friends and my boyfriend. So now having to work every second one, it sort of puts a bit a dampener on things because I do have to work on my day off now (Louise, retail).

These are not the kinds of flexibilities which the women we spoke with are seeking.

Community fabric

Much discussion about changes in work practices and labour law over the last decade has raised the topic of the impact of change on voluntary work and community involvement. Most of the women we spoke to were already too busy with work and their own families for a worsening of this problem of community fabric even to be discussed as an issue. One woman did raise it however, and her comments are recorded at length here because they speak to so many of the issues in this report – and to the relationship between them. Asked if changes in working life had affected activities outside of work, one aged care worker responded thus:

Yeah, because you get that short staffed and yes okay it's your choice whether you're going to do an extra shift or not but you normally get rung up saying we can't ... we've tried everyone, we can't find anyone, could you please come in and you do. I mean, you get to know your residents. I mean, we wouldn't be there if we didn't care about them and it's like yeah okay I'll do it. So it's like an obligation because you know what it's like to be short staffed yourself and particularly the bottom line is that it is your residents that are affected the most (Chrissie, aged care).

Interviewees' views of *Work Choices*

The current system

All the women who spoke to us were critical of *Work Choices* and they tended to see the problems with the laws in broadly similar terms, notably around balance. None were arguing that employees were faultless or all bosses underhanded. But all thought the changes had gone too far.

For instance, a childcare worker said that the changes had been 'too drastic'. The law 'gives the employer all the power and the employees nothing' (Kasey, childcare). Another childcare worker, dismissed under the new laws, said 'they're ridiculous'. She went on:

I just don't think they're fair. They don't look after people and, like, from the word go I've kind of said, look I understand sort of why they've been put in place because some people do do the wrong thing by their employers and they should be able to do something about that. But to those people like me and everybody else that it's [dismissal] happened to, that it shouldn't have happened to, you don't have two legs to stand on because you can't do anything about it. It's legal. It's completely okay just to walk up to someone and go, here's three weeks pay, you've got ten minutes to leave 'cause I don't like you. I think that's just not right (Mel, childcare).

Another woman, working as a kitchen hand, expressed similar ideas:

I do believe that there are companies, such as the one that I have encountered, that seem to want to use them to their advantage, especially in areas such as cleaning and hospitality where there are people who either don't have good English language skills or aren't confident and don't want to lose their jobs necessarily. They use them to manipulate the situation to their economic advantage. But I also do believe that there are companies, such as another one that I work for, that are happy using the Award and choose not to use the other method of employment because they don't want to alienate any of their staff (Jo, hospitality).

A cleaner who had refused to sign an AWA said she had little to say when asked what she thought of the new laws. ‘Only that they stink’, was her terse reply. But she went on to locate her own work experience in the context of not just those laws but wider social norms:

I look at it that we are cleaners and we’re at the bottom of it all and of course they’ve just basically taken the attitude back to the days when they did push you around. We do a job that no one else in their right mind would do and so we shouldn’t have to apologise for wanting a proper wage, a wage that you can live on. We still have the same bills, we still have mortgages; we shouldn’t have to apologise for that (Janis, cleaner).

An interviewee who had worked in various occupations in the study’s timeframe, including as a carer, was as puzzled by as she was opposed to the changes:

I don’t know why they had to change. I know that there were disputes between government and unions and things like that, but I thought the system that was operating was okay and I really couldn’t understand why it had to change. I think that if you shift to empower the employer, particularly businesses – to empower businesses – at the detriment of employees it just erodes the conditions that working Australians have got (Marianne).

She went on:

Just that I think that the laws are creating like an almost 19th Century English model of a society where there are classes of people – the rich and the poor – and I think we’re going back to sort of old historical models in our society of class, which is really what Australia is supposed to be reportedly not like. I think we’re also moving towards American models of society where there is no social conscience by governments and that one step towards that are the industrial laws that John Howard has created (Marianne).

Aged care workers responded in a similar manner. Asked what she thought of ‘the changes to employment laws in Australia’, one replied: ‘I think these changes are going to make people poorer and poorer and this is very sad for Australia, very sad for Australia’ (Sonja, aged care). Another returned to one of the key themes in this report:

what’s happened with these changes has made everybody feel that they’ve got no say. That they’re just like you do this, you do that and that’s it. Too scared to speak out to voice their opinion because they’ll lose their jobs (Donna, aged care).

The bus drivers to whom we spoke had their reactions shaped slightly differently – by disputes with their immediate superiors but also by the belief that union representation did make a difference. One said that: ‘my main concern is that they’re overkill basically. It just seems like they’ve gone too far’ (Bonnie, bus-driver). Her feelings became clearer in the next exchange:

Facilitator: And that’s based on sort of your experiences and what’s been happening at your workplace?

Interviewee: Yeah. Of course reading about what other people have gone through and all that kind of thing you know, they can base things on that as well. But yeah for us we’ve got a few safeguards around us being part of the public service but for a lot of other people they don’t have the

safeguards that we have, so it makes it harder on them (Bonnie, bus-driver).

Unsurprisingly, the woman sacked on being diagnosed with cancer was particular critical of the unfair dismissal laws:

I think there should be a reason for you being sacked. I don't like this ... what's it called, where you don't have to have a reason, you can just get sacked instantly ... We all have commitments; we all have credit cards and cars to run or children to feed. You can't abruptly get the sack if you really haven't done something wrong (Debbie, aged care).

Finally the most excoriating summary of *Work Choices* – a 'rotten thing that's somewhere from the Dark Ages' (Gillian, aged care). *Work Choices* in this woman's view is 'appalling':

I think it's an absolutely appalling situation that ... it's been allowed to go through ... It's not just my industry that's been affected. I mean ... the bosses are allowed to make these decisions and ... they're just totally unaccountable for anything that they do and they're not held accountable for any of their staff and they can make these decisions and their word is final, absolutely final. There is no where to go (Gillian, aged care).

Or is there? We asked this woman, and all the others whom we interviewed, what it is that they want from their workplace laws.

What women want

Balance, openness, greater security, representation, and a new set of laws and practices; this is what our interviewees said they wanted. These are the answers which emerged towards the end of the interviews when, having expressed their discontent about the laws, the women were asked an open-ended question about what they would like to see happen in the future with the employment laws.

One child care worker who had 'changed careers' and gone into the public sector touched on many of these issues. Her thoughts about this job also tell us what she wanted from a job:

It's been a huge change. It's better pay, better conditions. I feel much, much safer than in the smaller jobs where I was before ... I can work longer hours, I can work shorter hours. There's paid overtime (Kasey, childcare).

The rest of these responses are dealt with item by item.

Balance

One childcare worker's response was succinct: 'To give the employees more rights. To have a bit more safety in our jobs' (Kasey, childcare). Another picked up on the point already made, that these women recognised that both employees and employers can be at fault in workplace disputes but that the laws had gone too far. Balance must be restored:

I would like to see them change to give the employer some sort of leeway for that people that aren't doing the right thing but definitely the employees as well. You shouldn't just be able to sack somebody for no good reason. I'd never been counselled ... I loved my job, I always did the right thing, I did above and beyond my job – buying things out of my own money for the centre, for the room – everything that you could possibly imagine, I did. And the sort of thanks is, okay thanks, see you later, you can go now (Mel, childcare).

Openness

An aged care worker whose second language is English replied that the laws should be:

clearer for the small people to understand. My English is not very rich and I like to understand because I have to spend hours and hours to read again and again, to use the dictionary, not only to me I think. I see the people who are born here they don't understand (Sonja, aged care).

Greater security

As we have seen repeatedly in this report, working conditions were just one of the things that women were worried about. How an effective set of minimum standards operates to provide security for employees was the main concern of one woman. Her answer to the questions, she said, was:

specific to contract cleaning ... this cut and run thing that you take the cheapest quote every time and it just ... as in cleaners struggling on. At least if the award was the bottom, even though we always had problems with underpayments and undercutting at least it couldn't go any lower (Janis, cleaner).

One of the aged care workers wanted 'to get back the way it was'. Why? Because employees had been more secure: 'I think a lot of people felt more secure and, you know, if you feel secure in a workplace you're going to perform better' (Donna). A childcare worker had found security with a new employer. Her comments on this are telling in terms of 'what women want': 'The new job that I got was a child care centre ... It was much better. I felt a lot safer there. A lot more appreciated' (Kasey, childcare).

Negotiating assistance and representation

Others also wanted some older features of law and practice re-instated because employees needed collective voice and representation:

I think that they should go back to what they had; proper union agreed award agreements that are just negotiated by employers, unions and government like it was in the past. Give the power back to unions (Marianne, clerical worker).

Another woman tied this to the complexity of law and the need to have access to information:

I believe that the idea of the Award and the involvement of unions is important because people aren't born with knowledge of their rights and they don't know, when they get a contract, what is legal and what isn't legal, unless they have a relevant law degree. So the unions are not just useful, they're necessary, to help people get the best working situation (Jo, hospitality).

In conclusion, the question arises of how these desired changes might be achieved. We did not ask this question directly but in answering the question about what could happen in the future with employment laws, some of the women did offer comments along these lines.

One said that politicians had been allowed to get away with introducing these laws:

Australians are so apathetic they just sit back and let all this happen and they just think, oh, well, we'll just turnover and watch another game of footy, it doesn't really matter. But it does matter. It affects every single one of us (Gillian, aged care).

But she went on: 'I'd like to see somebody with a bit of guts come in to power and change all this around' (Gillian, aged care). For another, this might have to start with employees themselves themselves:

I think ... it's really important – if it happens to you – to stand up and say that it's not okay and make people aware. Because the more people are aware, the more people start to see and understand that they aren't fair and it is happening just to everyday, normal people for no reason. And if people start seeing that then maybe we're a little bit closer to getting them changed (Mel, childcare).

Overview of findings

In drawing this report together, we revisit our starting points and make clear some of the vital methodological issues which had to be addressed. The basis for this project was laid by other researchers who had identified areas of employment where women might be defined as ‘vulnerable’; that is, where a set of legislative changes such as *Work Choices* might affect them differently to male workers and to better-placed women. We then selected only women in the target groups and, when interviewing them, we ensured that the changes they were telling us about were directly linked to changes in law. We make no claims for the ‘typicality’ of these women. We would be delighted if the funding were available for such a massive (and important) project. Rather, we simply report what they – the women from ‘at risk’ sectors – themselves are saying about life under *Work Choices*. And it is not a happy story.

No-one reported any improvements in work/life balance. In some cases, the women’s concern about their loss of independence – growing reliance on men, parents or the state – was marked. There was no genuine negotiation at work; no improvement in work itself. In fact, a striking finding was that half of those interviewed in these low status jobs made it plain that they took immense pride in their work and that, for various reasons, these jobs were not being done as well under *Work Choices* as they had been in the past.

This last point deserves special emphasis. We were struck by the fact that the women talking to us all were, or wanted to be, good workers. They had in many cases been with the one employer for years; they knew what their obligations were as well as their rights; they wanted to be able to work well – and then to be rewarded. At the same time, we were very careful not to present these findings as simply being about bad bosses. Bad bosses predate, and will survive, *Work Choices* and any future legislative change. We were careful to ensure that we were drawing out examples of changes that were specifically caused by the new laws. What does this mean about the ‘bad boss’ syndrome? In short, the women were saying that it is easier (or in under-funded organisations perhaps necessary) for bosses to be bad ones now. The women felt that the difference was that the new laws allowed management more latitude – and many managers, for whatever reason, were taking full advantage of it.

Thus the recurring theme in this rich interview material is a perception of enhanced managerial prerogative under, and because of, *Work Choices*. Women were at once troubled by and eloquent about this: one said that her boss ‘could do what she wanted now’; another felt that managers were ‘under their own law’. This is an important change in itself, but it is also far more than this. It also weaves its way through statements about two other impacts that women are reporting: a lack of voice in the workplace, and increased job stress and outright fear at work. It also leads into, and explains, the more measurable outcomes that the women reported: reductions in penalty rates, changes in hours of work and shifts, and work intensification.

The major impacts of *Work Choices* reported here, then, are as follows:

1. No improvements in pay, other than through adjustments to minimum wages;
2. When those adjustments take place, work loads frequently increase;
3. Loss of penalty rates and loadings;
4. Unilaterally imposed changes in shift arrangements and the hours of work;
5. Work intensification;
6. Lack of security at and about work;
7. Uncertainty about the new laws and the nature of employment agreements;
8. Heightened managerial prerogative and reduced ‘voice’ at work;

9. New norms at work, with individualised, fearful and intimidated employees.
10. Less satisfaction at work and feeling unable to do jobs properly;
11. Threats to women's independence;
12. Greater stress on individuals and relationships.

Combined, these findings suggest a massive disjuncture between the stated aims of *Work Choices* and its impact upon these women. This is clear around almost every element of policy and public debate: the fairness, simplicity and flexibility of the new system as well as its claims to improve productivity and returns to employers and employees alike.

These women found the system extremely *unfair*; indeed, this concern lay at the base of all their other reactions. The growth in managerial prerogative meant that 'choice' was illusory. So, too, were claims about the system having been simplified: there was real confusion not only about how the laws worked but, for some of the women, uncertainty about what sorts of agreements they were now being paid under. There was also some evidence of informal, unwritten arrangements growing in significance. There was *no* evidence that 'flexibility' had worked in favour of the women. They were working harder for their money and reporting no improvements in balancing work and family lives. In fact, most did not even think this a matter worth taking about at any length, so remote was it from their lived reality. Were they more 'productive' employees? A qualitative project such as this one cannot answer that question definitively. What we can say is that one striking finding was that of the women who did talk about the nature of their work, *all* felt that pressure at work was leading to their jobs, in the main as cleaners and carers, being done less well than in the past.

It should be recorded in concluding this report that what also emerges from the interviews is the variety of ways in which low paid women are coping with the impact of *Work Choices*. We do not wish to portray these women as powerless, though they may be voiceless; we do not see them – and nor do they – as victims, though they may indeed be vulnerable. Part of the reason that their working lives are hard and unsatisfactory is that the tight labour markets that are so much discussed today simply do not apply here. There is no one labour market in Australia. The demand for mineworkers in the resource States or for skilled professionals across the country has nothing to do with shaping life and labour for the more vulnerable women workers in the ACT.

Silenced at work, the least these women deserve is to be heard in public debate about *Work Choices*, through reports such as this. There is a pressing need to build upon the research of which this project is part. Our knowledge of the impact of labour laws remains incomplete; we know far too little about how employers, employees and communities are being affected by changes in law and at work. This is important in every way. Researchers and policy-makers need better understandings of the terrain they are traversing and seeking to reshape. More importantly still – and quite clearly emerging from this report – working women in these low wage sectors of the economy themselves need more information and greater voice.

Recommendations

Recognising that State Governments and, still more markedly, the Territories have limited powers to intervene in employment relations and mediate the deleterious impacts of *Work Choices* reported here, there are, nonetheless, several recommendations which flow directly from the experiences with which this study has dealt. In the most general terms, these issues for redress relate to fairness and decent treatment at work. Nothing can guarantee fairness but changes to national labour law can help.

Plainly, changes are necessary to the national regulation of labour. Drawing from the concerns expressed in this report, the Commonwealth must act to restore certainty and fairness. The key changes that are needed at the national scale are the introduction of policies, processes and institutions which will restore a balanced regime of dismissal protections, allow collective bargaining where employees choose it and facilitate 'employee-friendly flexibility'. In particular, regularly scheduled adjustments to the national minimum wage should be introduced along with specific consideration of the needs of low-paid women. Measures which had been in train in some of the States to inquire into and advance gender pay equity should be taken up at the Commonwealth level. Notwithstanding recent amendments to the Commonwealth Act, effective enforcement must also be considered as this is likely to remain a problematical area.

As to recommendations to the ACT Government:

1. On behalf of its most vulnerable women workers, the ACT Government should raise matters of concern about national policy with Commonwealth employment relations ministers, shadow ministers and spokespeople. It should strongly encourage the States to do likewise.
2. The ACT Government should encourage and work with a wide range of lobby groups, as has been the case in the preparation of this project, to articulate the concerns of low paid women.
3. Specifically, we recommend the establishment of a committee of government and non-government organisations to continue to monitor the impact of legislative change and to distribute information about such developments.
4. That more information on entitlements, agreement-making and sources of help be made available, in a range of languages, to working women in the ACT.
5. Ensure that where the ACT Government tenders for non-government programs that those tenders are assessed placing priority on the provision of fair pay and conditions of employment.
6. Ensure that tendering processes for government work do not compete on the basis of labour costs and that freedom of association and collective bargaining are genuine options for employees.
7. Monitor sub-contracting arrangements to ensure that they do not compete on the basis of labour costs and that freedom of association and collective bargaining are genuine options for employees.
8. Sponsor further research including on the impact of legislative change on women and men under 18 years of age and on men in vulnerable labour market positions.

Appendix 1

The Original Research Team

South Australia

Professor Barbara Pocock

Centre for Work + Life, University of South Australia

New South Wales

A/Professor Marian Baird
and Dr Rae Cooper

The University of Sydney

Victoria

Dr Sara Charlesworth

Centre for Applied Social Research, RMIT

Queensland

A/Professor Gillian Whitehouse

Queensland University

Western Australia

Professor Alison Preston
and Dr Therese Jefferson

Women in Social and Economic Research, WiSER, Curtin
University of Technology

with

Marie Coleman

Representing Community groups and research donors including the National Foundation for Australian Women, Women's Electoral Lobby, the Don Chipp Foundation, the Young Women's Christian Association, Women With Disabilities Australia and Victorian Women Lawyers.

Appendix 2
Project Information Sheet & Project Consent Form

National Research Project

The Impact of Changes on the Regulation of Work on Women Workers

Contact Form: Australian Capital Territory

Researchers from the Women♀Work Research Group at the University of Sydney are part of a national project investigating the impact of changes on the regulation of work on women.

We are seeking 50 women whose employment in targeted occupations has been affected by change (either positively or negatively) since 31 March 2006, including those who have lost their job.

Interviews are confidential and may be conducted over the phone or face to face at a convenient location e.g a woman's home and convenient time e.g. after hours.

Your organisation's assistance in recruiting women who are willing to be interviewed is much appreciated.

We aim to include women from the overlapping categories listed below. We will only interview 15 women. However, we need a total of 50 women in order to choose an appropriate 'mix' of interviewees, so that it is sufficiently balanced and representative of women in different categories.

Please provide as much background information regarding these categories as you can on any potential interviewee. Just tick the appropriate box.

Name of possible interviewee _____ **Contact**
no. _____ **Best time to contact** _____

-
- In employment
 - Lost job since March 2006

Occupation

- Cleaning
- Retail
- Cafes & restaurants
- Clerical
- Child care
- Aged care

Age _____

- Aboriginal or Torres Strait Islander

With a disability

NESB

Children

With dependent children

Without dependent children

Household type

Dual earner household

Sole mother/earner household

Employment regulation

On award

On collective agreement

On individual contract/AWA

Form of employment

Casual

Part time

Full time

Name of contact/referring organisation

Org. contact person & no. _____

Please return this form to/or call to have collected:

Bradon Ellem
Work and Organisational Studies
The University of Sydney
NSW 2006

b.ellem@econ.usyd.edu.au
9351 6435



Bradon Ellem
BA (Hons) MA PhD
Associate Professor

Institute Building, H04
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facsimile 9351 4729
email b.ellemn@econ.usyd.edu.au

PARTICIPANT CONSENT FORM

I, , give consent to my participation in the research project
Name (please print)

TITLE: The Impact of Changes in National Work Regulation on Female Workers in NSW and the ACT

In giving my consent I acknowledge that:

1. The procedures required for the project and the time involved have been explained to me, and any questions I have about the project have been answered to my satisfaction.
2. I have read the Participant Information Statement and have been given the opportunity to discuss the information and my involvement in the project with the researcher/s.
3. I understand that I can withdraw from the study at any time, without affecting my relationship with the researcher(s) now or in the future.
4. I understand that my involvement is strictly confidential and no information about me will be used in any way that reveals my identity.

Signed:

Name:

Date:

CANBERRA TO TAKE PART IN A STUDY ON THE IMPACT OF NATIONAL WORK REGULATIONS

Minister for Women, Ms Katy Gallagher MLA, announced today that the ACT has agreed to contribute to a research project *The Impact of Changes in National Work Regulation on Vulnerable Workers*, aimed at monitoring the on-going position of women and vulnerable workers in the Australian labour market.

“Available data sources do not have the capacity to adequately monitor wages and other employment related conditions, particularly in the most vulnerable,” Ms Gallagher said.

“This project, which will assess the impact of changes since the introduction of *WorkChoices*, will provide essential information that will assist the ACT Government to understand the implications of these changes,” stated Ms Gallagher “It will extend beyond minimum wages and consider a range of employment issues such as access to leave, control of working time and security of employment.”

The project complements research undertaken by the Human Rights and Equal Employment Commission on the current position of women in the workforce.

Statement Ends

Date

Media Contact: Angie Drake Ph: 6205 0139(w) 0408 092 016(m)

Appendix 4
Newspaper Advertisement

RESEARCH PROJECT

**The Impact of Changes in National
Work Regulation on Female Workers in
NSW and the ACT**

Researchers at the University of Sydney are investigating the impact of changes in the regulation of work on women in NSW and the ACT.

We are seeking to interview women whose employment has been affected by change (either positively or negatively) since **31 March 2006**, including those who have lost their job.

Interviews are confidential and may be conducted over the phone or face to face, at a convenient location and time.

If you are interested - or if anyone in your family is interested - in participating and would like further information, please contact:

Associate Professor Bradon Ellem
Work and Organisational Studies
The University of Sydney
P: 02 9351 6435
F: 02 9351 4729
E: b.ellem@econ.usyd.edu.au

Appendix 5
Letter to business and other stakeholders



The University of Sydney
Faculty of Economics and Business

NSW 2006 AUSTRALIA

**Associate Professor
Bradon Ellem**
BA (Hons)MA PhD

Institute Building H04
cnr City Road and Butlin Avenue
telephone + 61 2 9351 6435
facsimile + 61 2 9351 4729
email b.ellem@econ.usyd.edu.au

Date

Dear _____,

RE: *The Impact of Changes in National Work Regulation on Female Workers in NSW and the ACT.*

I am writing to request your organisation's assistance with a research project currently being conducted by the University of Sydney which will address the impact of changes in national work regulation on female workers in NSW and the ACT.

We are seeking your assistance in recruiting women workers in particular industries who are willing to talk about their experiences in confidential interviews. The project is focused on women working in low-wage occupations, predominantly cleaning, retail, aged care, child care, clerical and hospitality. This research project will provide an assessment of the effects of changes in work regulation brought about by the Commonwealth's *Work Choices Act* of 2006 on female workers in NSW and the ACT.

The study will assess the impacts of changes to work regulation on female workers by examining the effects, both positive and negative, that changes are having on: pay and rewards; the form of the contract of employment; hours of work, patterns of work and job security; access to paid and unpaid leave, including that relating to sickness, childbirth and care of others; workers' ability to balance and participate in work, family and community life.

The study is being carried out by a team of independent researchers at the University of Sydney led by Associate Professor Marian Baird, Dr Rae Cooper and myself. The research team will be writing up the findings in reports for the funding governments and then in academic journals. All these published documents will preserve the anonymity of interviewees and will be made available to the public.

I hope that your organisation will be willing to assist us. Please contact me on the above number or email address if you would like to be involved.

Yours sincerely,

Bradon Ellem
Associate Professor
Discipline of Work and Organisational Studies

Appendix 6
Interviewees

<i>P'nym</i>	<i>Industry</i>	<i>Age</i>	<i>Union</i>	<i>Children</i>	<i>Household</i>	<i>Emp Arrange</i>	<i>Casual</i>	<i>Mode</i>
Janis	Cleaning	45-54	Yes	Yes	Dual earner household	Award	No	Part-time
Marianne	Clerical	25-44	Not in main job	Yes	Sole earner household	Ind agmt / AWA	No	Full-time
Gillian	Aged Care	55 +	No	No	Sole earner household	Award	No	Part-time
Sonja	Aged Care	55 +	Yes	No	Dual earner household	Award	No	Part-time
Chrissie	Aged Care	25-44	Yes	Yes	Sole earner household	Award	No	Part-time
Jo	Cafes & Restaurants	18-24	Yes	No	Sole earner household	Award	Yes	Casual
Mel	Child Care	18-24	Yes	Yes	Sole earner household	Award	No	Full-time
Donna	Aged Care	45-54	Yes	No	Dual earner household	Award	No	Part-time
Kasey	Child Care	18-24	Yes	No	Dual earner household	Award	No	Full-time
Bonnie	Transport	25-44	Yes	Yes	Dual earner household	Collective agmt	No	Part-time
Rose	Transport	25-44	Yes	Yes	Sole earner household	Collective agmt	No	Part-time
Debbie	Aged Care	55 +	Not at first	No	Sole earner household	Award	Yes	Part-time
Sally	Retail	18-24	No	No	Dual earner household	Ind agmt	Yes	Casual
Louise	Retail	25-44	No	No	Dual earner household	Ind agmt	No	Full-time

IMPACT OF CHANGES IN NATIONAL WORK REGULATION
BACKGROUND INFORMATION SHEET

Your name _____ **Contact number** _____

(For contact purposes only. No information that might identify you is included in this study.)

Please tick the appropriate box.

What is your age?

- 18-24
- 25-34
- 35-44
- 45-54
- 55 & over

Country of birth _____

Main language spoken at home _____

- Aboriginal or Torres Strait Islander**
- Person with a disability**

Year of schooling completed

- less than year 10
- year 10
- year 11
- year 12

Do you have any post-school qualifications? If yes, please specify.

- Certificate _____
- Diploma _____
- Degree _____
- Graduate diploma _____
- Postgraduate degree _____

How many dependent children do you have?

- no children
- 1 dependent child
- 2 dependent children
- 3 or more dependent children

How old are your dependent children?

Do you have any other dependents?

- Yes

Relationship to you _____

What type of household do you live in?

- Couple
- Lone Parent
- Lone Person

- Group household
- Other family
- Other, please specify _____

At the commencement of March 2006
(before any change or loss of job):-

What was your occupation? (in your main job if you had more than one)

If you had more than one job, what occupations were they?

2nd

Job _____

3rd Job

Which job did you experience change in or did you lose?

Which Industry was this job in?

- Agriculture, forestry and fishing
- Mining
- Manufacturing
- Construction
- Wholesale trade
- Retail trade
- Accommodation, cafes, restaurants
- Transport and storage
- Communication services
- Finance and insurance
- Property and business services
- Govt admin and defence
- Education
- Health and community services
- Cultural and recreational services
- Personal and other services

Did you work for:-

- A government agency (local, state or federal)
- A non-government community org.
- A private business

How many were employed at your workplace?

- 1-4
- 5-19

- 20-99
- 100-199
- 200 or more

How many hours did you usually work each week, excluding overtime?

- 0-15 hours
- 16-34
- 35-40
- 46-50
- 50 or more

What days did you usually work on?

- Monday
- Tuesday
- Wednesday
- Thursday
- Friday
- Saturday
- Sunday

If you were a shift worker, what sort of shift did you work?

- Day shift
- Afternoon shift
- Night shift
- Rotating shift

What was your hourly rate of pay in this job?

- under \$10
- \$10-\$15
- \$15-\$20
- \$20-\$25
- \$25-\$30
- \$30-\$35
- \$35-\$40
- \$40-\$50
- over \$50

What was your usual weekly wage in this job? (before any change)

- \$0-99
- \$100-199
- \$200-299
- \$300-399
- \$400-499
- \$500-599
- \$600-699
- \$700-799

- \$800-899
- Over (specify) _____

Was your job -

- Permanent
- Casual
- Limited Term Contract (specify length _____)

If you were a casual worker, was your work-

- Regular/ongoing
- Relief
- Short term
- seasonal
- Unpredictable

How long had you been doing this job?

- Less than 1 year
- 1-5 years
- 5 years or more

Were your wages & conditions set by –

- award
- collective agreement
- Australian Workplace Agreement
- another individual contract
- don't know

What was your main source of household income? (before any change)

- Wages and salaries
- Government entitlements/pensions
- Business
- Other (eg. superannuation)

Residential Postcode: _____

Work Postcodes: _____

INTERVIEW SCHEDULE

Chosen Pseudonym.....

Real first name.....

Interview No.DSS file name.....

Date:Interviewer:.....

Interview Questions and Notes (*these are guidelines only; pursue interesting issues where they arise. Skip questions already covered in earlier answers.*)

Introduction:

1. Read out information sheet about project.
2. Do you have any questions about the research?
3. Read consent form – yes or no: clear recorded response required.
4. This can take from 30 minutes to an hour – is that OK? Please feel free to stop the interview at any time if you need to, for any reason at all.
5. Would you like to choose another name so that we can use it in place of your real name which we want to keep confidential?

Interview questions

1. *Could you tell me about any changes at work that have affected you since 31 March 2006?*

(allow participant to tell her own story)

In exploring the nature and extent of changes, check/elaborate on the following:-

a. Changes to hours of work

Have your hours of work changed?

- Overall number
- Starting & finishing times
- Days of the week
- Shift arrangements

Are your hours predictable?

Has the way you are notified of your working hours changed?

Do you have any control over your working hours?

Do these hours suit your needs?

How comfortable would you feel to ask to change your hours or pattern of work?

b. Changes to rates of pay

Has your *normal* hourly pay gone up or down, and by how much?

Has your total weekly pay gone up or down, and by how much?

Has your access to any of the following changed?

- Shift loadings
- Overtime loadings
- Penalty rates for weekend or work outside of normal hours
- Casual loadings

c. Changes to leave provisions

Has your access to any of the following leave arrangements changed?

- Paid maternity leave (pay & amount)
- Paid paternity leave
- Leave for the care of sick dependents
- Leave for personal emergencies
- Cultural leave
- Training leave

d. Changes to security of employment

Has your job security been affected by changes in your -

- Required notice of termination
- Workplace location

e. Changes to form of work contract

Have you moved from a collective agreement/award to an AWA?

Have you moved from permanent to casual status?

f. Has your employer changed? What effects might this have on your work?

2. Have any other aspects of your workplace or working conditions changed?

Explore the following:

- a. Thinking about the **atmosphere at work**, has anything changed – for example, in terms of:
 - How secure you feel
 - How willing you are to speak up (to fellow workers, to the boss, to the union)
 - Relationships at work
 - Occupational health & safety
- b. Thinking about your **workload**, how would you say that has changed? (a lot heavier, a bit heavier, a bit lighter, a lot lighter)? ---Because?

3. Do you know why these changes were made?

4. Were they discussed with you beforehand, either directly or through the union?

5. Are you anticipating further change?

6. Do you know when your wages and conditions of employment will be adjusted next time?

7. What about in your other job(s)? Have there been any changes there?

8. What effects have these changes had on you?

(allow participant to tell her own story)

In exploring effects check/elaborate on the following:-

- a. Thinking about the **balance between work and home or family**, has it become easier or harder to balance work & non-work commitments (a lot easier, a bit easier, a bit harder, a lot harder)?
- b. Have changes at work affected, for example:
 - Caring arrangements
 - Sharing household work
 - Household/family relationships
 - Household finances/budgeting
 - Life planning e.g. house, education, kids leaving home, holidays, retirement
 - Commuting/travel time
- c. Have changes in your working life affected your **participation in community, school or church activities**? (e.g. neighbourhood watch, school coaching, tuck shop...)
- d. Have changes in your working life affected your **social life** in any way? (e.g. catching up with family and friends, going out...)
- e. Have changes in your working life affected your **health** in any way? (e.g. stress, tiredness, given up exercise, more prone to work injury...)

9. What do you like about your work?

10. What are the good things about your pay and conditions?

11. What don't you like about your work?

12. Did you belong to a union? Do you now?

Would you feel comfortable in contacting a union for assistance? Would you previously?

13. Do you have any thoughts about the changes to employment laws in Australia?

14. What would you like to see happen in the future about employment laws?

15. Is there anything else you would like to add?

16. Would you be willing to be contacted for a follow up interview in a year or two to see if anything has changed in your experiences at work? Yes No

If so, what number would be best to call you on?.....

17. We would like to speak to more people about these issues, would you be happy to pass on our contact details to others who might be interested?

INTERVIEW SCHEDULE

For participant who has lost her job since 31 March 2006

Chosen Pseudonym.....

Real first name.....

Interview No.DSS file name.....

Date:..... Interviewer:.....

Interview Questions and Notes (*these are guidelines only; pursue interesting issues where they arise. Skip questions already covered in earlier answers.*)

Introduction:

1. Read out information sheet about project.
2. Do you have any questions about the research?
3. Read consent form – yes or no: clear recorded response required.
4. This can take from 30 minutes to an hour – is that OK? Please feel free to stop the interview at any time if you need to, for any reason at all.
5. Would you like to choose another name so that we can use it in place of your real name which we want to keep confidential?

Interview questions

1 Could you tell me about how you lost your job?

(allow participant to tell her own story)

In exploring the circumstances of job loss, check/elaborate on the following:-

- a. What form of job loss was it?:-
 - An individual dismissal
 - Pressure to resign
 - Work restructuring
 - Part of general redundancies
 - Change of owner
 - Other
- b. What reasons (if any) were you given?
- c. Why do you think it happened?
- d. Did you have any warning?
- e. Was your dismissal preceded by other changes to your wages or conditions?
If yes, what were they?
- f. Did you try and do anything about it?
If yes, what happened?

2. What effects did the loss of your job have on you?

(allow participant to tell her own story)

In exploring effects check/elaborate on the following:-

How has it affected your:-

- Individual & household finances
- Housing/place of residence
- Family/dependents
- Relationships
- Ability to socialise
- Community participation

3. How easy or hard has it been to find a new job?

4. Have you found a new job?

5. If yes, how does this job compare with the old one?

In comparing jobs, check/elaborate on the following:-

a. Change to form of work contract

Have you moved from a collective agreement/award to an AWA?
Have you moved from permanent to casual status?

b. Changes to hours of work

Have your hours of work changed?

- Overall number
- Starting & finishing times
- Days of the week
- Shift arrangements

Are your hours predictable?

Has the way you are notified of your working hours changed?

Do you have any control over your working hours?

Do these hours suit your needs?

How comfortable would you feel to ask to change your hours or pattern of work?

c. Changes to rates of pay

Has your *normal* hourly pay gone up or down, and by how much?

Has your total weekly pay gone up or down, and by how much?

Has your access to any of the following changed?

- Shift loadings
- Overtime loadings
- Penalty rates for weekend or work outside of normal hours
- Casual loadings

d. Changes to leave provisions

Has your access to any of the following leave arrangements changed?

- Paid maternity leave (pay & amount)
- Paid paternity leave
- Leave for the care of sick dependents
- Leave for personal emergencies
- Cultural leave
- Training leave

e. Changes to security of employment

Has your job security been affected by changes in your -

- Required notice of termination
- Workplace location

6. Has your change of job made easier or harder to balance work & non-work commitments (a lot easier, a bit easier, a bit harder, a lot harder)?

Has it affected, for example:

- Caring arrangements
- Sharing household work
- Household/family relationships
- Household finances/budgeting
- Life planning e.g. house, education, kids leaving home, holidays, retirement
- Commuting/travel time

7. Has your change of job affected your ability to participation in community, school or church activities? (e.g. neighbourhood watch, school coaching, tuck shop...)

8. Has your change of job affected your social life in any way? (e.g. catching up with family and friends, going out...)

9. Has your change of job affected your health in any way? (e.g. stress, tiredness, given up exercise, more prone to work injury...)

10. What do you like about your work?

11. What are the good things about your pay and conditions?

12. What don't you like about your work?

13. Did you belong to a union? Do you now?

Would you feel comfortable in contacting a union for assistance? Would you previously?

14. Do you have any thoughts about the changes to employment laws in Australia?

15. What would you like to see happen in the future about employment laws?

16. Is there anything else you would like to add?

17. Would you be willing to be contacted for a follow up interview in a year or two to see if anything has changed in your experiences at work? Yes No

If so, what number would be best to call you on?.....

18. We would like to speak to more people about these issues, would you be happy to pass on our contact details to others who might be interested?

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