

Gender Diversity in the Australian Resource Industry

Establishing the Baseline: A Situational Analysis (December 2012)



Australian Women in Resources Alliance Strength through workforce diversity

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FOREWORD

There is considerable interest in increasing the number of women working at all levels and across a range of occupations in the resource industry. Despite this, women remain underrepresented in the industry's workforce.

Much of the research that has been undertaken regarding women's employment in general has examined barriers to entry and progression within an organisation. Many of these barriers have been identified, for example: a lack of flexible arrangement such as part-time opportunities and particularly at more senior levels; masculine industry and organisational cultures, and; harassment and discrimination issues. Organisations have implemented a range of strategies to overcome these barriers, with some employers having won awards for such initiatives or been named an "employer of choice" for women.

A key challenge to charting progress in the resource industry is the lack of a single comprehensive data set that covers all mining, construction and allied companies. The industry does not feature prominently among preferred employers for women. Of the 125 organisations who received the 2012 Equal Opportunity for Women in the Workplace Agency (EOWA) Employer of Choice for Women citation, only three were listed under the 'mining' category. The citation is awarded to non-government organisations that have more than 100 employees and have demonstrated that they have effective policies and practices in place to support women's employment. More recent research has focused on retention of female employees. Research suggests that the organisational cultures within which many women find themselves in the resource industry require resilience, persistence and professional role confidence in order to survive and perhaps thrive.

Despite the range of strategies that have been developed to improve attraction and retention rates, and the good work many organisations are undertaking, the rate of change remains slow. Additionally there is a lack of comprehensive data on the effectiveness of existing policies, programs and initiatives, in particular their impact on the organisation's bottom line.

The AWRA Project has as one of its objectives the development of a data set that will help the industry measure the effectiveness of initiatives to attract and retain more women. The aim of this situational analysis document is to recognise the data currently being collected and to identify its limitations. It also establishes a baseline against which progress of individual organisations and the overall industry can be measured and compared to other major sectors of the Australian economy.

Linley Lord, Director Maureen Bickley Centre for Women in Leadership, Curtin University

INTRODUCTION

The Australian Women in Resources Alliance (AWRA) is a national workforce development initiative jointly funded by the Australian Government and the national resource employer group, the Australian Mines and Metals Association (AMMA). AWRA was founded to assist employers to attract and retain female employees in the wider resource industry, including related construction entities and other allied sectors. Australia's entire national workforce, as well as that of the wider resource industry, could benefit greatly from increased female participation.

The Global Gender Gap Index Report 2012¹ shows Australia to be ranked 44th among the 135 countries evaluated, on measures of the gender equality of labour participation. Recent Australian statistics² shed some light on this finding.

At November 2012, women made up:

- 45.7% of the total Australian employed workforce
- 43.5% of people either employed or seeking work (the labour force)
- 35% of full time workers
- 71% of Australia's part-time workers

Among women:

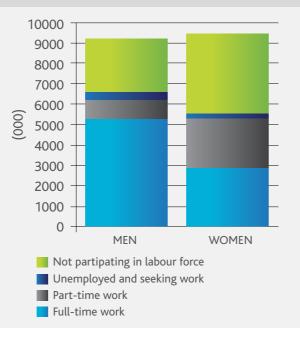
- 95% of those in the available labour force are employed either full-time or part-time
- the available labour force, however, includes just 58.5% of the total number of women in Australia aged 15 and above (and therefore able to leave schooling); this number is 71.3% for Australian men

Twice as many men in the civilian population (57%) work fulltime as do women (30%). Approximately 3.9 million Australian women are not employed and reportedly not seeking work – this represents 41.5% of the total women, compared to 28.7% of the total men, in the civilian population of Australia.

The difference between men's and women's workforce participation, is summarised in the chart (right).

It is estimated that closing the gender gap, by enabling more women to work and more to work full-time, could boost Australia's annual GDP by \$180 billion or 13%³.

MEN'S AND WOMEN'S WORKFORCE PARTICIPATION



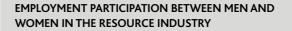
Source: Australian Bureau of Statistics, Labour Force, Australia, Detailed, Cat 6202.0, November 2012

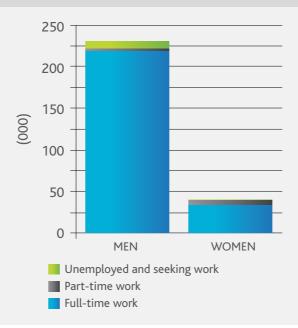
FEMALE PARTICIPATION IN THE **RESOURCE INDUSTRY**

The Australian resource industry directly employs around 263,000⁴ people in mining, oil and gas operations across the country, as well as allied and construction sectors. The overall demand for labour generally, and especially in selected skilled occupations, remains at high levels due to ongoing investment in new resources activity, the construction of large new projects, and ongoing operational requirements from all areas of this very active industry⁵.

The differences in employment participation between men and women are even more significant in the resource industry than in the general population. Data for one subsector, mining, is shown below. Strikingly, just 15.2% of workers⁶ in mining are women, compared to 45.7% across all industries.

- 1. Hausmann, R. Tvson, L & Zahidi, S. 2012, 'The Global Gender Gap Report 2012', World Economic Forum, Switzerland (2012) http://www.weforum.org/reports/globalgender-gap-report-2012, accessed 10 December 2012. This subindex of the overall Global Gender Gap Index combines differences in labour force participation rates, remuneration and advancement (as legislators, senior officials and managers, as well as technical and professional workers).
- Australian Bureau of Statistics, Labour Force, Australia, Detailed, Cat No 6202.0, November 2012, released December 2012, http://www.abs.gov.au/AUSSTATS/abs@.nsf/ 2 DetailsPage/6202.0Nov%202012?OpenDocument, accessed 10 December 2012.
- 3. 'Weekly Comment: Productivity Much Ado About Nothing?', Goldman Sachs Economic Research, 26 August 2011 (2011).
- 4. Australian Bureau of Statistics, Labour Force, Australia, Detailed, Cat No 6202.0, November 2012, released December 2012, http://www.abs.gov.au/AUSSTATS/abs@.nsf/ DetailsPage/6202.0Nov%202012?OpenDocument, accessed 10 December 2012.
- Grafton, Q (Chief Economist, Bureau of Resource and Energy Economics (BREE)), Presentation to the Australian National Conference on Resources and Energy (ANCRE) 2012.
- Australian Bureau of Statistics, Labour Force, Australia, Detailed, Quarterly, Employed Persons by Sex, Industry, Age, Status in Employment, August 1994 onwards, Cat No 6291.0.55.003, November 2012 (released 13/12/2012)HYPERLINK, http://www.abs.gov.au/AUSSTATS/abs@.nsf/DetailsPage/6291.0.55.003Nov%202012?OpenDocument, accessed 14 December 2012.





Source: Australian Bureau of Statistics, Labour Force, Australia, Detailed, Cat 6202.0, November 2012

Given its traditionally low levels of female workforce participation, unprecedented level of employment growth and critical skills shortages, the wider resource industry has the most of any Australian sector to gain, in terms of the potential benefits of addressing the low levels of female participation in its workforce.

With current critical skills shortages forecast to be greatly exacerbated as additional projects begin construction, it is widely recognised that addressing the resource industry's low rates of female participation provides an opportunity to bridge the skills shortage and strengthen the industry with the benefits of a more gender balanced workforce.

This very objective was identified by the Australian Government's National Resource Sector Employment Taskforce (NRSET) report in 20107, which highlighted that women often represent an untapped human resource pool that can be 'unearthed' in a labour market characterised by skills shortages and low participation.

Utilising contributions from industry and the Federal Department of Industry, Innovation, Science, Research and Tertiary Education's (DIISRTE) Critical Skills Investment Fund⁸, AWRA intends to

address the issue of the under-engagement of women in the resource workforce and provide opportunities for employers in the industry to better meet the current and projected demand for skilled labour.

In doing so, AWRA is recognising increased women's participation presents numerous business benefits in terms of productivity, financial performance and decision making. AWRA aims to assist industry representatives to understand the full extent of the productivity, quality and safety dividends that a more gender diverse workforce has been proven to deliver.

Led and advised by subject experts and by representatives of a wide range of organisations from across Australia, the AWRA initiative brings together key stakeholders from industry, government and academia to address barriers to women's participation in the industry.

AWRA has set a goal to achieve 25% women in the resource industry workforce by 2020. This target is in-line with government and industry priorities that address the national critical skills shortage and allows the resource industry to continue its period of rapid growth and great advancement.

This document, Establishing the Baseline: A Situational Analysis, represents an important step in collating the currently available data on gender diversity matters in the wider resource industry. Acknowledging the existing limitations of such data, it provides a framework within which information from multiple sources can be consolidated and used to provide quantitative measures for AWRA's objectives.

THE CURRENT SITUATION

Understanding gender diversity within the resource industry workforce requires an examination of the existing sources of data and other evidence, recognising the limitations and assumptions of the data, and consolidating the available information to provide an overall picture of gender diversity in the wider resource industry.

DATA SOURCE LIMITATIONS

Accessible, reliable and comprehensive workforce data is critical to designing evidence-based and responsive policy and to monitoring and evaluating its outcomes. The lack of quality information is one of the key obstacles that AWRA has identified. The absence of data could possibly hamper the quantitative reporting of outcomes.

There is currently no mandatory system that collects and analyses information on gender diversity in the resource industry other than the reporting frameworks of the Australian Stock Exchange (ASX) and the federal Workplace Gender Equality Agency (WGEA),

Australian Government (2010) National Resource Industry Employment Taskforce (NRSET) 'Unearthing the Future' http://www.innovation.gov.au/Skills/ Skills Training And Work force Development/National Resources Sector Work force Strategy/National Resources Sector Employment Task force/Pages/default.aspx to the sector Secto

This fund was established to implement strategies and services that directly support the overarching purpose of recommendation 5.5 of the National Resource Sector Workforce Strategy: "... to develop a strategy for attracting and retaining women in the resources and construction sectors."

formerly the Equal Opportunity for Women in the Workplace Agency (EOWA)⁹. A range of different data sources can be consolidated to form an understanding of gender diversity in the wider resource industry, noting the limitations and necessary assumptions involved in the treatment of such data.

The primary data sources currently available to provide insight into the industry therefore are the Australian Bureau of Statistics (ABS), the WGEA and the ASX. The first two data sources use the Australian and New Zealand Standard Industrial Classification (ANZSIC) 2006, and classify what is generally known as the resource industry as 'Mining'¹⁰. The latter uses the Global Industry Classification Standard (GICS), which encompasses resource industry organisations in the categories of 'Materials' and 'Energy'11. Where this report refers to data provided by these sources, the corresponding terms will be used.

Industry wide trends are difficult to derive from the available data due to:

- the ASX reporting obligations only apply to publicly listed entities.
- the 2011 ASX annual reporting cycle was the first reporting cycle in which Principle 3 of the Corporate Governance Principles and Recommendations (Principle 3) applied, such that information about gender diversity policies and details of the proportion of women at various levels in organisations were to be included in the annual reports of publicly listed entities. The first assessment of compliance levels and progress towards meeting the objectives of Principle 3 was undertaken by Women on Boards as well as in a report by KPMG in 2012 (see p11 and p9 respectively).
- The EOWA data is based on information reported directly to the agency by industry members; until the 2012-2013 reporting year organisations with more than 100 employees (relevant employers) were required to report under the Equal Opportunity for Women in the Workplace Act 1999, and it cannot be assumed that Small to Medium Enterprises (SMEs) reflect the same patterns and trends as relevant employers being monitored through this channel. At June 2011, SMEs¹²

comprised more than 98% of employing companies13 and employed 31%¹⁴ of workers in the mining industry, so their contribution to the industry culture regarding gender diversity is likely to be significant. The reporting requirements under the Workplace Gender Equality Act 2012 (Act) will not come into effect until the reporting year 2013-2014.

- Under the previous reporting (EOWA) legislation some organisations of more than 100 employees were granted waivers from reporting to EOWA, and others have otherwise failed to comply with the mandatory reporting requirements. This means that EOWA data cannot be assumed to be representative of all organisations with more than 100 employees.
- The ABS statistics report on women as a single category, which presents difficulties when describing and analysing gender diversity and levels of participation within narrower age bands.

Additional data is available from ad hoc research initiatives. though its validity for wider application is typically limited by the small sample size of such studies, and or the fact that they typically provide a 'snapshot' at one point in time, representing a narrow industry subsector or a specific organisation.

Data has also been collected by national and state industry groups, but again is limited to the membership base of the group and does not necessarily provide a representative data set¹⁵.

INFORMATION AND TRENDS

Despite the limitations described above, ABS data for the resource, related construction and allied/servicing sectors clearly demonstrates that the wider resource industry is dominated by male employees and to a greater degree than in most other industries.

According to the latest available ABS figures, women comprise 15.2% of the Australian 'mining' industry workforce¹⁶. Within the (general) construction industry women comprise just 11.8 % of all employees¹⁷. The participation rate in both ABS sector categories is much lower than the 45.7% of women in the all-industries national workforce¹⁸.

9. All current statistics are from the former Equal Opportunity for Women in the Workplace Agency, as there is currently a transition year in reporting requirements.

- 12. For the purposes of this report, small to medium enterprises (SMEs) are defined as organisations of fewer than 200 employees, including non-employing organisations.
- 13. Australian Bureau of Statistics, Secondary Industry and Distribution, Australia, Detailed, Annual, Counts of Australian Businesses, including Entries and Exits, June 2007 to June 2011, Cat No 8165.0 (released 31/01/2012), http://www.ausstats.abs.gov.au/ausstats/subscriber.nsf/0/3501C8DDF770CC94CA2579950012015F/\$File/81650_ jun%202007%20to%20jun%202011.pdf, accessed 24 September 2012.
- 14. Australian Bureau of Statistics, Australian Industry, Australia, Detailed, Annual, 2010- 2011, Cat No 8155.0 (released 22/06/2012), HYPERLINK "http://www.ausstats.abs. gov.au/ausstats/subscriber.nsf/0/FDDC3A890FA7E7C8CA257A24001D9707/\$File/81550_2010-11.pdf%20"http://www.ausstats.abs.gov.au/ausstats/subscriber.nsf/0/ FDDC3A890FA7E7C8CA257A24001D9707/\$File/81550_2010-11.pdf, accessed 3 October 2012.
- 15. For examples of these groups see Appendix 3.
- 16. Australian Bureau of Statistics, Labour Force, Australia, Detailed, Quarterly, Employed Persons by Sex, Industry, Age, Status in Employment, August 1994 onwards, Cat No 6291.0.55.003, November 2012 (released 13/12/2012) HYPERLINK, http://www.abs.gov.au/AUSSTATS/abs@.nsf/DetailsPage/6291.0.55.003Nov%20 2012?OpenDocument, accessed 14 December 2012.
- 17. Ibid
- 18. Ibid

WOMEN REPRESENTATION IN THE MINING INDUSTRY

THE IMBALANCE IN THE DISTRIBUTION OF GENDERS ACROSS OCCUPATIONS APPEARS SIGNIFICANTLY HIGHER IN MINING THAN IN OTHER INDUSTRIES.

10.5% of managers in the mining industry (including organisations of all sizes) are women²¹

.47% of technicians and

4%

of professional positions





.9% of all machinery operators and drivers



Source: ABS statistics

^{10.} See Appendix 2.

^{11.} See Appendix 2.

Multiple data sources show that women are underrepresented at all levels within the resources industry: managerial; professional; technical; and trade roles. Among EOWA reporting organisations (that is, greater than 100 employees) in the 'mining' category, the total representation of female managers is very low, at 13.1%, compared to 33.8% for EOWA reporting organisations across all industries¹⁹.

ABS statistics provide a broader view; 10.5% of managers in the 'mining' industry (including organisations of all sizes) are women²⁰. This data also indicates that women represent 27.4% of professional positions, 1.47% of technicians and trades workers, 6.6% of labourers, and 6.9% of all machinery operators and drivers²¹. Of the women employed under the ABS 'mining' category, the majority are employed in administrative or clerical roles, with women representing 69.5% of all employees in these roles²². The imbalance in the distribution of genders across occupations appears significantly higher in 'mining' than in other industries.

The WGEA conducts a biennial Census of the top 200 ASX listed companies²³, the Australian Census of Women in Leadership. In the past the Census has measured the number of women on corporate boards and in senior executive positions in the ASX 200. However, the 2012 Census was extended to include analysis of ASX 500 companies²⁴.

The 2012 Census showed that across all industries, there is a significant underrepresentation of women at board and senior executive level. Of particular note is the lack of women in line management positions²⁵. In the ASX 200 women's representation

in line management positions is 6.0% and in support positions it is 22.0%²⁶. In the ASX 500, women's representation in line management positions is 6.2% and 22.5% in support positions.

Further, women in the ASX 200 hold 12.3% of directorships; there are 6 female chairs, 7 CEOs and 9.7% of executive key management personnel. In the ASX 500 women hold 9.2% of directorships, 13 chairs, 12 CEOs; and 9.2% of executive key management personnel²⁷.

The Census also reveals that of the companies in the 'materials' industry in the ASX 200, 7.5% of directors are women. In companies in the ASX 500, 5.2% are women. Further, in the 'energy' industry 8.5% of directors in the ASX 200 are women, and in the ASX 500 it is 5.8%²⁸.

More recent statistics based on research by the Australian Institute of Company Directors (AICD) provides that the percentage of women on ASX 200 boards at 23 November 2012 is 15.2%²⁹.

Information in the 2011 EOWA Industry Verticals demonstrates that among organisations in the mining sector that reported to EOWA, the proportion of female CEOs is 3.7%³⁰ which is marginally higher than the average in ASX-listed companies but approximately one-third of the figure for all EOWA reporting organisations, namely 11.8%³¹. In EOWA reporting organisations in the construction industry however, the representation of women at the CEO level is very low at just 1.9% (approximately one-tenth of the level for EOWA reporting organisations averaged across all industries)³².

19. Equal Opportunity for Women in the Workplace Agency, 'Industry Snapshots Mining' (2011), http://www.eowa.gov.au/Information_Centres/Resource_Centre/EOWA_Publications/Industry_Verticals/2011/Mining.pdf, accessed 20 September 2012.

- Australian Bureau of Statistics, Labour Force, Australia, Detailed, Quarterly, Employed Persons by Sex, Industry, Occupation, State, August 1996 onwards, Cat No 6291.0.55.003, November 2012 (released 13/12/2012), http://www.abs.gov.au/AUSSTATS/abs@.nsf/DetailsPage/6291.0.55.003Nov%202012?OpenDocument, accessed 14 December 2012.
- 21. Ibid.
- 22. Ibid.
- 23. The Standard & Poor's Australian Stock Exchange 200 Index (S&P/ASX200 Index) represents the biggest 200 companies listed on the Australian share market (based on the company's market capitalisation).
- 24. Equal Opportunity for Women in the Workplace Agency, '2012 Australian Census of Women in Leadership', http://www.wgea.gov.au/Information_Centres/Resource_Centre/ WGEA_Publications/WGEA_Census.asp, accessed 17 December 2012.
- 25. A significant pathway to board and CEO positions is via line management positions.
- 26. Equal Opportunity for Women in the Workplace Agency, '2012 Australian Census of Women in Leadership', http://www.wgea.gov.au/Information_Centres/Resource_Centre/ WGEA_Publications/WGEA_Census.asp, accessed 17 December 2012.
- 27. Ibid.

- 29. Australian Institute of Company Directors, 'Appointments to ASX 200 Boards' (2012), http://www.companydirectors.com.au/Director-Resource-Centre/Governance-and-Director-Issues/Board-Diversity/Statistics, accessed 17 December 2012.
- 30. Equal Opportunity for Women in the Workplace Agency, 'Industry Snapshots Mining' (2011), http://www.eowa.gov.au/Information_Centres/Resource_Centre/EOWA_ Publications/Industry_Verticals/2011/Mining.pdf, accessed 20 September 2012.
- 31. Ibid.

32. Equal Opportunity for Women in the Workplace Agency, 'Industry Snapshots Construction' (2011), http://www.eowa.gov.au/Information_Centres/Resource_Centre/EOWA_ Publications/Industry_Verticals/2011/Construction.pdf, accessed 20 September 2012.

THE LEGISLATIVE / COMPLIANCE ENVIRONMENT

Legislative and compliance obligations placed on commercial organisations have proven to be somewhat effective as drivers of policy-based outcomes. Using compliance measures to encourage greater levels of gender diversity within Australian employers is relatively new, but has already resulted in measurable improvements. While AWRA prefers to effect industry change through cultural and educational initiatives rather than increased regulation, AWRA recognises the importance legislative measures play in this movement.

ASX REPORTING OBLIGATIONS

The ASX Corporate Governance Principles and Recommendations apply to all publicly listed entities, including companies and trusts (Relevant Entities). The 2011 ASX annual reporting cycle was the first in which the ASX recommendation that Relevant Entities address and report on gender diversity (under Principle 3 of the Corporate Governance Principles and Recommendations) was followed.

Principle 3 advises that:

- Companies should establish a policy concerning diversity and disclose the policy or a summary of that policy. The policy should include requirements for the board to establish measurable objectives for achieving gender diversity and for the board to assess annually both the objectives and the progress in achieving them (Recommendation 3.2 of Principle 3);
- Relevant Entities should establish and disclose a diversity policy; such a policy should require the Relevant Entity's board to establish measurable objectives for achieving gender diversity and report annually, in its annual report, on progress towards achievement of these objectives as well as the proportion of women employed in the whole organisation, the proportion of women in senior executive positions and proportion of women on the board (Recommendations 3.3 and 3.4 of Principle 3).

- 34. This report classifies sectors by the Global Industry Classification Standard (GICS). For further information see Appendix 2.
- 35. 'ASX Corporate Governance Council Principles and Recommendations on Diversity: Analysis of 31 December 2011 year end disclosures', July 2012, http://www.asxgroup.com. au/media/asx_diversity_report.pdf, accessed 3 January 2013.
- 36. This report classifies sectors by the Global Industry Classification Standard (GICS). For further information see Appendix 2.
- 37. 'ASX Corporate Governance Council Principles and Recommendations on Diversity: Analysis of 31 December 2011 year end disclosures', July 2012, http://www.asxgroup.com. au/media/asx_diversity_report.pdf, accessed 3 January 2013.

38.	Ibid,	P
38.	IDID,	P

39. Ibid, p8.

40. Ibid, p8.

- 41. Ibid, p8.
- 42. Ibid, p15.
- 43. Ibid, p15.
- 43. Ibid, p13. 44. Ibid, p14.

Departures from these recommendations should be explained in the Relevant Entity's corporate governance statement in the annual report.

In July 2012 a report was released by KPMG titled ASX Corporate Governance Council Principles and Recommendations on Diversity: Analysis of 31 December 2011 year end disclosures. This report reviewed 211 of the 237 listed entities with a 31 December 2011 year end³³ and examined their annual reports and other sources to determine their compliance with each diversity recommendation.

In relation to Recommendation 3.2, of the 33 entities reviewed in the 'energy'³⁴ sector, 23 (70%) had established a diversity policy³⁵. Further, in the 'materials'³⁶ sector, 52 (59%) of the 88 entities reviewed had established a diversity policy³⁷.

The report states, specifically in relation to the 'energy' sector results, that given the timing of the review and the sample sizes, it may be too early in the reporting year to place too much emphasis on the results in relation to the sector³⁸. The report also makes note that this sector has felt the impact of skills shortages and organisations may potentially recognise the benefits of implementing workforce diversity policies³⁹.

The data also showed a direct correlation between the size of an entity and the likelihood that it has adopted a diversity policy⁴⁰. Where smaller entities had not adopted a diversity policy, it was reported that this was mainly due to the size and spread of operations, the availability of resources, and/or the consequent difficulties for these entities to focus on certain aspects of corporate governance⁴¹.

In relation to Recommendations 3.2 and 3.3, the report found that of the 23 entities in the 'energy' sector who had established a diversity policy, 16 (70%) have established measureable objectives⁴². In the 'materials' sector, of the 52 entities who had established a diversity policy, 23 (44%) have established measureable objectives⁴³. As this is the first year that the recommendations apply an analysis of entity's disclosure in relation to their progress in achieving their measurable objectives was not included⁴⁴.

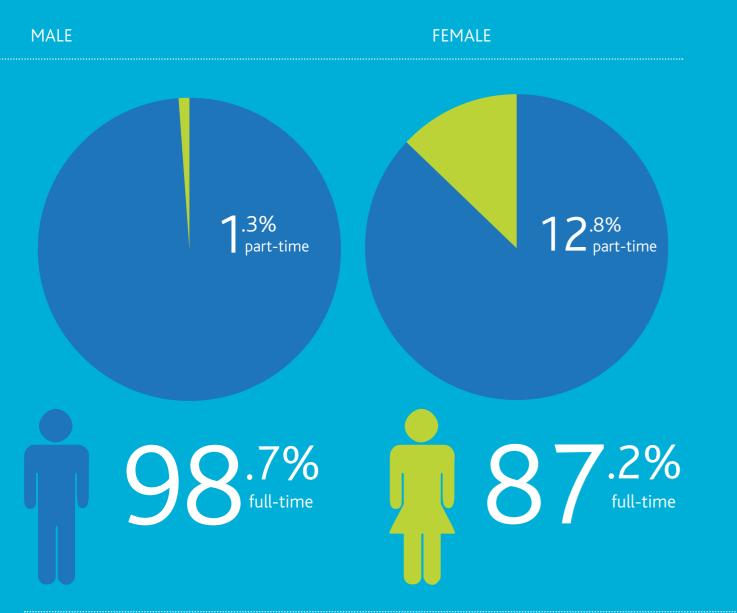
For further information see Appendix 2. alysis of 31 December 2011 year end disclosures', July 2012, http://www.asxgroup.com.

For further information see Appendix 2. nalysis of 31 December 2011 year end disclosures', July 2012, http://www.asxgroup.com.

^{28.} Ibid.

^{33.} All entities that had lodged 2011 annual reports as at 30 April 2012.

DIVISION OF FULL TIME/PART TIME WORK BY GENDER



RESEARCH DEMONSTRATES THAT ACCESS TO FLEXIBLE WORK ARRANGEMENTS IS AN ESSENTIAL ELEMENT FOR ATTRACTING AND RETAINING WOMEN IN THE WORKFORCE.

WOMEN ON BOARDS' ANALYSIS

Women on Boards (WOB) was founded as a company in 2006 to improve the gender balance on Australian boards. WOB partners with the corporate, government and non-profit sectors, and is funded through subscriber fees and earnings from services to organisations seeking to improve gender diversity⁴⁵.

In early 2012 WOB undertook its first analysis of how well ASXlisted companies are complying and progressing with Principle 3. Companies, some of which had publicly announced themselves as early adopters of Principle 3, were selected randomly from the ASX100 and ASX 200. After an assessment of publicly available information from the most recent annual report, company diversity policies and the corporate governance and sustainability sections of company websites, WOB rated the companies as 'Red', 'Amber' or 'Green':

- To be awarded a 'Red' classification a company had provided no, or minimal, details and/or had stated a commitment to provide information in the 2012 annual report. Of the companies⁴⁶ WOB analysed, there were two within the 'energy' sector and 10 within the 'materials' sector classified as 'Red'.
- · An 'Amber' classification indicates a company is making some progress towards implementing the recommendations of Principle 3. The classification provides three levels which included progress in the implementation of a diversity policy and base level initiatives; good policies and targets for improvement and; good gendered data, targets and reporting. Of those that WOB analysed, there were six 'energy' sector companies and six 'materials' sector companies classified as 'Amber'.
- To receive a 'Green' classification, the company must have achieved high levels of all attributes of the Amber rating as well as good representation of women on their boards and/or in senior management; evidence of progress in achieving stated objectives, linked to individual KPIs, and; good data reported over a number of years. These companies are usually early adopters of Principle 3 and have clearly sought to improve gender diversity at all levels for some years. Of the companies analysed by WOB, none in the 'energy' or 'materials' sectors were given a 'Green' classification.

This indicator confirms that gender diversity at the board level has not been achieved in the resource industry.

THE WORKPLACE GENDER EQUALITY ACT 2012

Under the Equal Opportunity for Women in the Workplace Act

- 47. Classified as 'Electricity, Gas, Water and Waste Services.'
- 48. Classified as 'Electricity, Gas, Water and Waste Services.'
- 49. Classified as 'Manufacturing.'
- 50. Classified as 'Manufacturing.'
- 51. Classified as 'Professional, Scientific and Technical Services.'
- 52. Classified as 'Professional, Scientific and Technical Services.'
- 53. Classified as 'Professional, Scientific and Technical Services.

1999, organisations with more than 100 employees were required to develop, implement and report annually on equal opportunity for women in the workplace programs. Organisations deemed compliant for three consecutive years or more could apply for a waiver from reporting.

Following a review of the Act, the Equal Opportunity for Women in the Workplace Amendment Bill 2012 was introduced in Federal Parliament in March 2012 and was passed in late November 2012. The legislation is now called the *Workplace Gender Equality* Act 2012, and the explicit objective of the new Act is to improve gender equality outcomes for both men and women in Australian workplaces.

The Equal Opportunity for Women in the Workplace Agency has now been renamed the Workplace Gender Equality Agency, and is responsible for administering the new Act.

The changes aim to shift the legislative focus from reporting on policy and program intent, to reporting measurable and transparent outcomes on key gender equality indicators, starting March 2013. The proposed new framework will complement the ASX recommendations outlined above.

The 2012-2013 reporting year will be a transition year. However in 2013-2014 reporting against the new legislative framework will begin. Arguably, it will then be easier to measure and monitor organisational and industry progress towards gender diversity once this begins.

EMPLOYER OF CHOICE FOR WOMEN (EOCFW)

The annual EOWA Employer of Choice for Women citation is a nationally recognised acknowledgement of a non-government organisation's efforts in the area of equal opportunity for women. In light of the recent legislative changes there will not be an Employer of Choice for Women process for 2013 to enable the Agency to review the citation. Those organisations who received a citation in 2012 have been awarded for two years.

In 2012 three companies in the Mining industry category attained an EOCFW citation, these were: Alcoa of Australia Limited t/a Alcoa World Alumina Australia, ConocoPhillips Australia Pty Ltd and ExxonMobil Australia Pty Ltd.

Other mining-related companies classified under other industries which received the citation included: AGL Energy Limited t/a AGL Energy⁴⁷, Origin Energy⁴⁸, BP Australia Group Pty Ltd t/a BP Australia Pty Ltd⁴⁹, The Shell Company of Australia Limited⁵⁰, AECOM Australia Pty Ltd⁵¹, Arup Pty Ltd⁵² and Sinclair

^{45.} http://www.womenonboards.org.au/about/, accessed 3 January 2013.

^{46.} Women on Boards classify according to the ASX, which uses the GICS classification system. For further information see Appendix 2.

Knight Merz Pty Ltd⁵³.

THE CULTURAL CONTEXT

It is in the cultural context of the gender diversity movement that the most significant efforts are being made to improve women's participation in the workforce. For Australian resource employers to advance gender diversity in their workforces, rather than merely comply with the minimum regulatory requirements, they must address aspects of organisational and industry culture that discourage women from working. This analysis details the evidence of cultural barriers to women's participation in the resource industry, a thorough understanding of which is critical to AWRA's success.

PAY EQUITY

Currently, women in Australia earn on average 17.5% (full-time equivalent) less than men across all occupational groups⁵⁴. This inequity exists from the outset of women's careers, with female graduates earning on average \$5000 per annum less than male graduates on entering the workforce⁵⁵.

Pay inequity stems from a number of complex and interacting causes, including (on the whole):

- direct discrimination the payment of disparate wages to women compared to men performing the same work is outlawed by Commonwealth, state and territory antidiscrimination legislation but may still be in effect in some organisations;
- the significant segregation of men and women across industries and occupations ('men's work' versus 'women's work');
- a difference in the value placed, both subjectively and by market demand, on men's and women's work, which determines the remuneration paid for the different types of work:
- a difference in the level of unionisation (and therefore capability for wage negotiation) between men's and

women's work:

- a difference in employment status (full-time versus part-time or casual work) between men and women;
- a difference in the ability of men and women to access extra remuneration through overtime, performance bonuses etc; and
- · a difference in the ability of men and women to progress to higher levels in an organisation, and thus achieve higher rates of pay.

Pay inequity is often largely 'invisible' and goes undiscovered until a systematic analysis takes place at the organisational or industry level. In 2009, The Australasian Institute of Mining and Metallurgy (AusIMM) and the Women in Mining Networking (WIMNet) Committee conducted a pay equity survey⁵⁶ which highlighted the importance of organisations committing to ongoing gender pay equity analysis and to monitoring trends, in order to identify and rectify pay inequity.

EOWA's annual report for 2010-2011 states that only 36.6% of EOWA reporting organisations conducted an annual pay equity analysis⁵⁷.

The gender pay disparity within the mining industry increased by 0.8 percentage points between May 2011 and May 2012, with women currently being paid on average 21.8% less than men⁵⁸. This is significantly greater than the average national pay gap for all industries (17.5%⁵⁹) and is likely to be due to segregation among occupations within the industry, as discussed previously.

Surprisingly, pay inequity in the general construction sector (which includes non-resource activities but is considered to be a maledominated industry) is similar to the average national gender pay gap; women in construction are being paid on average 17.7% less than men, decreasing from 19.2% from May 2011 to May 201260.

PAID PARENTAL LEAVE

In 2011, 52.8% of organisations reporting to EOWA provided paid employer-funded maternity leave and 36.9% provided employerfunded paid paternity leave⁶¹. There is wide variation among companies across the resource industry.

In 2011, the number of EOWA reporting organisations in the mining industry providing paid maternity leave rose from 54.9% in the previous year, to 62.0%⁶². This rate is 9.2 percentage points above the 2011 average rate for all EOWA reporting organisations of 52.8%. In the general construction industry, only 29.8% of organisations provided paid maternity leave, which is 23 percentage points lower than the average rate of all EOWA reporting organisations providing paid maternity leave⁶³.

In addition, in 2011 49.3% of EOWA reporting organisations within the mining industry provided paid paternity leave, which is greater than the average of 36.9% for EOWA organisations⁶⁴. In the general construction industry only 22.3% of organisations offered paid paternity leave, 14.6 percentage points lower than all the EOWA reporting organisations⁶⁵.

These findings will be affected by the Paid Parental Leave scheme introduced by the federal government in 2011. The scheme provides eligible working parents of children born or adopted from 1 January 2011 up to 18 weeks of payment - but no additional entitlements to leave - at the level of the national minimum wage (from 1 July 2012 this is \$606.50 before tax per week). Under the scheme, employers receive government funding to provide Parental Leave Pay to eligible employees. Employees can receive both government and employer-funded parental leave payments, while employers are encouraged to leave their existing arrangements unchanged by the provision of the government-funded scheme (thereby increasing the employer's attractiveness to employees). Some employers may choose to reduce or replace their employer-funded schemes with the government-funded scheme⁶⁶.

62. Ibid.

- 63. Equal Opportunity for Women in the Workplace Agency, 'Industry Snapshots Construction' (2011), http://www.eowa.gov.au/Information_Centres/Resource_Centre/EOWA_ Publications/Industry Verticals/2011/Construction.pdf. accessed 20 September 2012.
- 64. Equal Opportunity for Women in the Workplace Agency, 'Industry Snapshots Mining' (2011), http://www.eowa.gov.au/Information_Centres/Resource_Centre/EOWA_ Publications/Industry_Verticals/2011/Mining.pdf, accessed 20 September 2012.
- Publications/Industry_Verticals/2011/Construction.pdf, accessed 20 September 2012.
- 66. Under the legislation, employers who provide paid parental leave through an industrial instrument cannot withdraw that entitlement for the life of that instrument. During bargaining for a new agreement, employers and employees will be able to agree to modify existing employer provided provisions in the light of the introduction of the new federal government scheme.
- 67. Australian Bureau of Statistics, Labour Force, Australia, Detailed, Quarterly, Employed Persons by Sex, Industry, Age, Status in Employment, August 1994 onwards, Cat No accessed 14 December 2012.

68.	Ib

- 69. Ibid.
- 70. Ibid.
- 71. Ibid.

- 54. Australian Bureau of Statistics, ABS Average Weekly Earnings Trend, Cat No 6302.0, May 2012 (released 16/08/2012), http://www.ausstats.abs.gov.au/ausstats/meisubs. nsf/0/6D53FBF36837D6EBCA257A5B00121372/\$File/63020_may%202012.pdf, accessed 17 December 2012.
- 55. Graduate Careers Australia, 'GradStats, Employment and Salary Outcomes of recent Higher Education Graduates', December 2012 (2012), http://www.graduatecareers. com.au/research/researchreports/gradstats/, accessed 3 January 2013.
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- 57. Equal Opportunity for Women in the Workplace Agency, 'Equal Opportunity for Women in the Workplace Agency Annual Report 2010-2011', (2012), http://www.wgea.gov. au/Information_Centres/Resource_Centre/WGEA_Publications/annual_reports.asp, accessed 3 January 2013.
- 58. Equal Opportunity for Women in the Workplace Agency, 'Gender Pay Gap Statistics, Equal Opportunity for Women in the Workplace Agency August 2012' (2012), http:// www.wgea.gov.au/Research_And_Resources.asp, accessed 3 January 2012.
- 59. Ibid.
- 60. Ibid
- 61. Equal Opportunity for Women in the Workplace Agency, 'Industry Snapshots Mining' (2011), http://www.eowa.gov.au/Information_Centres/Resource_Centre/EOWA_ Publications/Industry_Verticals/2011/Mining.pdf, accessed 20 September 2012.

FLEXIBLE WORK PRACTICES

Flexible work practices include, but are not limited to: home or remote-based work (telecommuting); part-time work; job sharing; and flexible working hours. Research demonstrates that access to flexible work arrangements is an essential element for attracting and retaining women in the workforce.

Comprehensive data regarding the extent to which flexible work practices are available and adopted within the resource industry is lacking. Most readily available is information on the use of part-time work; women comprise 15.2% of employees in mining, of which 87.2% work full-time and 12.8% work part-time⁶⁷. In comparison, 98.7% of men in this industry work full-time, while 1.3% work part-time⁶⁸.

The proportion of women who work part-time in mining is the lowest of all industries; the average across all industries is 29.4%⁶⁹. In the general construction industry, 49.2% of women work parttime⁷⁰. A comparison of the mining and construction industries by occupation gives some insight into this finding. Women working part-time are predominantly employed as clerical and administration workers. This type of employment dominates for women in the construction industry (76% of women employed), whereas in mining, only 40% of women are employed in this category and 35% are professionals⁷¹. Women in construction are concentrated in "feminised" jobs which are traditionally more amenable to part-time work.

While these statistics do not give any indications about the availability of part-time work in the resource industry, they indicate that access to flexible work opportunities might currently be limited.

65. Equal Opportunity for Women in the Workplace Agency, 'Industry Snapshots Construction' (2011), http://www.eowa.gov.au/Information_Centres/Resource_Centre/EOWA_

6291.0.55.003, November 2012 (released 13/12/2012)HYPERLINK, http://www.abs.gov.au/AUSSTATS/abs@.nsf/DetailsPage/6291.0.55.003Nov%202012?OpenDocument,

SEXUAL HARASSMENT

Research has shown conclusively that sexual harassment has a significant and negative effect on the wellbeing and productivity of individuals and organisations⁷².

No clear data is available about the incidence of sexual harassment specific to the resource industry. High profile media cases and ad hoc survey findings suggest the issue is at least as prevalent in the industry as in other Australian workplaces. Indeed, the particular dynamics of resource workplaces and the industry in general, and the low levels of gender diversity, are factors known to exacerbate the problem in other contexts.

In a recent US study, the risks of sexual harassment by industry, age group and sex were analysed from claims filed with the Equal Employment Opportunity Commission (EEOC). The study by Joni Hersch, a professor of law and economics at Vanderbilt University reported the mining and construction industries had the most EEOC complaints recorded by women⁷³.

In Australia, a 2012 survey by the Australian Human Rights Commission⁷⁴ found that 25% of women and 16% of men aged 15 years and older had experienced sexual harassment in the workplace in the past five years⁷⁵. The survey also found there was a lack of understanding about what constitutes sexual harassment. Almost one in five (18%) respondents said they had not experienced sexual harassment, but went on to report having experienced behaviours that were likely to constitute unlawful sexual harassment.

Further, the majority of sexual harassment goes unreported; only 20% of those who had been sexually harassed formally reported or made a complaint⁷⁶.

The 2012 survey found that no workplace is immune from sexual harassment. However, it revealed that sexual harassment was most likely to occur in large workplaces (41%), followed by small (33%) and medium (24%) workplaces. However, it should be noted that the sample was not selected to reflect the population by employer size or industry,

The survey also revealed that sexual harassment was most likely to occur in the following industries - health and community service (14%); accommodation, cafe and restaurant (11%); retail (11%); and education (10%).

The report concluded that further research is needed to understand the characteristics of workplaces in which sexual harassment is most likely to occur. The report also recommended that future waves of the survey should be expanded to include a specific focus on select industries (eg financial services, mining and information technology).

NEXT STEPS

It is arguable that improved access to data will not be available until more organisations commit to a gender diversity policy which includes a responsibility to collect and disclose information on key gender indicators. In this regard, AWRA aims to investigate, gauge and test the industry's current level of commitment to implementing gender diversity policies and transparently reporting on gender equality indicators.

AWRA will provide regular updates of this report to measure the industries' progress towards the goal of gender diversity.

Further, it is imperative that an industry analysis on SMEs be conducted to determine how many currently have a gender diversity policy and how many report on key gender diversity indicators. This will enable AWRA to examine trends and enable monitoring of the AWRA initiative's outcomes.

CONCLUSION

This paper provides a set of baseline gender diversity and related data against which the outcomes of the AWRA initiative can be monitored in the future. In general, gender diversity across the resource industry workforce is reportedly very low, and gender inequity evident. To what extent and how this can be measured in small and medium sized enterprises is uncertain.

The diversity of the industry presents significant challenges for data collection and analysis. For example, the industry could be deemed to include a range of support services and construction activities which are of interest to the AWRA initiative but for which it is difficult to separate mining versus non-mining activities and thus obtain data. These challenges need to be addressed through clear definition of the industry and alignment with existing and possible new data sources. This in turn will assist us to design the most industry-appropriate and effective responses to enable greater levels of participation by and retention of women in our workforce. The support for AWRA clearly demonstrates the industry's willingness to engage with and make progress on these issues.

AWRA has recognised the need to improve how the industry measures key gender indicators, but building capacity in this area will not delay the immediate implementation of solutions known to effectively enhance women's participation in the workforce. AWRA will continue to share lessons from inside and beyond our industry to this end.

74. Australian Human Rights Commission 'Working without fear: Results of the Sexual Harassment National Telephone Survey' (2012), http://humanrights.gov.au/ sexualharassment/survey/index.html, accessed 19 December 2012.

75. Ibid.

76. Ibid.

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^{72.} For example: Laband, David N. and Lentz, Bernard F., 'Effects of Sexual Harassment on Jon Satisfaction, Earnings, and Turnover among Female Lawyers', Industrial and Labor Relations Review, 51/4 (1998), p594.

^{73.} Hersch J, 'Compensating Differentials for Sexual Harassment' presentation at the American Economic Association 2011 meeting "Gender and Labor Markets" session, January 8, 2011, p16.

APPENDIX 1 – AT A GLANCE

	SUMMARY OF STATISTICS				
SOURCE/STATISTICS	WHAT IS THIS BASED ON?	LIMITATIONS			
Equal Opportunity for Women in the Workplace Agency (EOWA) Industry members that report directly to EOWA and includes organisations with over 100 employees	No reliable and regular data on organisations with less than 100 employees				
	Those with over 100 employees can obtain waivers or may fail to comply – so the data cannot be relied upon as being representative of all organisations with over 100 employees				
Australian Bureau of Statistics (ABS)	Census and other information collection	The ABS data presents women as a single group aged 20-74 by sector. This makes it difficult to disaggregate data and monitor trends			
	Mining is just one category – does not break down the industry like other statistics the ABS provides				
Research initiatives Surveys and other information gathering	Research initiatives only provide a small sample size which compromises their transferability				
	Only provide a snapshot of trends which are time and organisation limited				
Professional membership organisations	Information provided by member organisations	Limited to a particular membership base and do not provide a comprehensive data set			
ASX - Principle 3 2011 was the first year that the ASX required listed companies to address gender diversity	Reporting obligations only apply to publicly listed entities and therefore, do not capture organisations that are not publicly listed entities				
	It is unclear if the trends by ASX organisation are replicated in SME's				
	It is not yet clear whether a comprehensive analysis will be done of the ASX data by industry sector, and it is too early for this to occur				
Pay Equity Organisations conducting an annual pay analysis	In 2011 only 36.6% of EOWA reporting organisations said that they conducted an annual pay equity analysis				
	Unable to monitor trends in pay due to the small amount of organisations that conduct an analysis. Organisations need to commit to doing so				
Flexible work practices		Comprehensive data regarding the extent to which flexible work practices are available is lacking. However, data on part-time work practice is readily available			
Sexual harassment		Clear data on the incidence of sexual harassment in the resource industry specifically is unavailable			
Industry classifications within statistics		A further limitation is the way in which data is classified. It is difficult to determine whether statistics specifically refer to resource industry companies, as classifications vary. The ABS classifies mining in a certain way, where other data classifies resource organisations as either Energy or Materials, which can also encompass other non-resource related activities			

APPENDIX 2 – SECTOR DEFINITIONS IN DATA SOURCES

ANZSIC 2006 Definition

According to ANZSIC, the Mining division includes units that mainly extract:

- naturally occurring mineral solids, such as coal and ores;
- liquid minerals, such as crude petroleum; and
- gases, such as natural gas.

The term mining is used in the broad sense to include:

- underground or open cut mining;
- dredging;
- quarrying;
- well operations or evaporation pans;
- recovery from ore dumps or tailing
- beneficiation activities (i.e preparing e.g. crushing, screening, washing and flotation) and
- other preparation work customarily performed at the mine site, or as a part of mining activity.

The Mining division distinguishes two basic activities:

- Mine operation includes units operating mines, quarries, or oil and gas wells on their own account, or for others on a contract or fee basis, as well as mining sites under development.
- Mining support activities include units that perform mining services on a contract or fee basis, and exploration (except geophysical surveying).

This traditional ANZSIC view of mining does not include industries which provide mining related activities and services reflecting the broader view of the industry. The view also excludes mining related activities in industries such as manufacturing, construction, transport and storage, property and business services and electricity and gas.

Global Industry Classification Standard (GICS)

The GICS Energy Sector comprises:

- companies whose businesses are dominated by either the construction or provision of oil rigs, drilling equipment and other energy related service and equipment, including seismic data collection, and;
- companies engaged in the exploration, production, marketing, refining and/or transportation of oil and gas products, coal and other consumable fuels.

The GICS Materials Sector encompasses a wide range of commodity-related manufacturing industries. Included in this sector are companies that manufacture chemicals, construction materials, glass, paper, forest products and related packaging products, and metals, minerals and mining companies, including producers of steel.

APPENDIX 3 – NATIONAL AND STATE INDUSTRY BODIES

Australian Petroleum Production & Exploration Association Ltd (APPEA) www.appea.com.au

Chamber of Minerals and Energy Western Australia www.cmewa.com

Minerals Council of Australia www.minerals.org.au

New South Wales Minerals Council Ltd www.nswmin.com.au

Queensland Resources Council www.qrc.org.au

South Australian Chamber of Mines and Energy www.sacome.org.au

Tasmanian Minerals Council www.tasminerals.com.au

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