



**QUEENSLAND WORKING
WOMEN'S SERVICE INC
ANNUAL REPORT
2013/4**



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QWWS Inc. Mission Statement

QWWS provides a service that empowers and advocates for the attainment of social justice for women in the workplace.

QWWS Inc. Vision Statement

Our vision is for equitable and fair outcomes for Queensland women and youth in their employment.

We strive to be a leading source of expertise in improving the status of women in the workplace.

QWWS Inc. Value Statement

We promote equality in the workplace through:

- challenging gender-based inequality
- challenging the exploitation of young people in the workplace.

Our work is characterised by:

Working with each other and those outside our organisation in ways that are inclusive, collaborative, consultative, respectful and consistent with a feminist approach.

QWWS Inc. Goals

1. QWWS Inc. has best-practice governance systems and processes for service delivery, administration and sustainable management.
2. QWWS Inc. makes a significant contribution to systemic advocacy about workplace equity for women and young people.
3. QWWS Inc. has strong networks with relevant government and non-government agencies.

QWWS Inc. Objectives

- Provide accessible services that support women from diverse backgrounds throughout Queensland to make informed choices about issues that affect them in the workplace.
- Take appropriate action to assist women to achieve workplace justice.
- Increase both women's knowledge and confidence in the workplace and community understanding of workplace issues.
- Foster complementary relationships with women's sector organisations and other work-related services provided by unions, government and other agencies to enhance the status of women.
- Seek opportunities to build the capacity and sustainability of the organisation to further the above objectives.

QWWS was funded to deliver industrial relations advisory services to vulnerable women workers for the 2013/4 financial year by Federal Government Fair Work Ombudsman.

From the Chair

Leah Mertens

On behalf of the Management Committee of The Queensland Working Women's Service Inc., it has been terrific to see QWWS continue in a challenging funding and operating environment and hone their focus on being available to assist the most vulnerable working women in our state.

The work QWWS does remains available to vulnerable women who are seeking information on their options when concerns arise in relation to their employment. QWWS not only provides that information to women but assists the woman to better understand the alternatives and options available to her and their possible outcomes. In the increasingly complex and legalistic arena of industrial relations, women report back to us that this type of access is highly valued.

I would like to thank QWWS Kerriann Dear and the staff who have delivered such professional and competent services to over 2000 women who have contacted the service this year for assistance this year. The service has maintained high outputs and received extremely positive client feedback and service evaluations despite having a decreasing pool of funding as well as staff and resources. QWWS has valuable referral relationships established with Maurice Blackburn Lawyers and Australian Workplace Lawyers and has maintained an active network of Union women who have provided valuable support and input to the service over its now almost twenty years of operation. We extend our warmest thanks to these organisations.

I would also like to thank my fellow Management Committee members who volunteer their time, energy and insights to keep the Working Women's Service on track with our corporate and social responsibilities as a registered charity and incorporated not for profit organisation.

Thank you also to our funding body the Fair Work Ombudsman, who has worked with us and with the other Working Women's Centre's to ensure the services are able to continue our valuable work.

A small grant was also received from Zonta this year, with great appreciation, as it was last year, and has assisted us to maintain our work with women in the discrimination jurisdictions.

Management Committee

The QWWS has now operated since 1994 with the ongoing commitment and work of a volunteer Management Committee, which oversees QWWS governance and operations. The Management Committee is made up of representatives from a broad range of organisations and individuals, and

the service relies on the volunteer efforts of this group of women who provide strategic direction and support for the service.

Committee Achievements

Planning meetings conducted August 2013

Organisational Review January 2014

Annual General Meeting November 2013

Elected Management Committee 2012/2013

Leah Mertens (Chair)	Individual member
Alison McClintock (Deputy-Chair)	Individual member
Jan Sheppard	Together Union
Alana Heffernan (Treasurer)	Individual Member
Anna Herzog	Australian Services Union (Services)
Roslyn Monro (Secretary)	Women's Legal Service
Kerriann Dear (Director)	Management Representative
Lee Matahaere	Staff Representative

Director's Report

Queensland Working Women's Service Inc. continued to deliver advisory and advocacy services to vulnerable working women during 2013/4 with funding from the Commonwealth provided through the Fair Work Ombudsman. These groups include Aboriginal and Torres Strait Islander women, Migrant women (including 457 Visas), culturally and linguistically diverse women (CALD), regional women; and women with disabilities as well as older women, and young women, .

Clients who contact QWWS for assistance are seeking information on their rights and options on courses of action available to them to redress unfairness in the workplace. QWWS clients typically reflect the level of disadvantage that women often experience in their employment, still (in 2011 from the Census) earning 17.5% less than men on average and facing particular and sensitive issues such as pregnancy discrimination, sexual harassment and gender discrimination at work. An alarming number of women report abuse and even assault in their workplaces and issues that women present with often intersect with other concerns such as domestic violence, mental well being problems and the risk of poverty. Many women continue to retire in poverty despite a long working career because of small superannuation savings and other life events such as divorce. An overview and analysis of the frequency and issues working women have raised with the service over the past year is contained in the QWWS Service Delivery Report.

Domestic Violence and Work

Almost a third of Australian women have experienced domestic or family violence. It is increasingly recognised that the workplace has a key role to play in minimising the safety and productivity impacts of domestic violence by supporting workers to stay in secure employment. Over one million workers now have clauses in their work contract or agreements that provide specific entitlements to support workers experiencing domestic violence.

A recent amendment to the Fair Work Act has meant that employees who experience domestic violence have the right to request flexible working conditions - which is significant recognition in itself of the impact of domestic violence as an industrial issue. QWWS was successful in attaining a small grant from Brisbane City Council to continue the work of the Safe at Home Safe at Work Project that was conducted by the Domestic Violence Clearing House and the University of New South Wales <http://www.dvandwork.unsw.edu.au/>

Ten seminars were delivered by QWWS to a range of organizations including legal centres, community play group centres, migrant programs, Relationships Australia and in house presentations to Chinese and Spanish speaking women. The presentation was translated into more than six diverse languages.

During the coming period QWWS will continue to target this training to small workplaces with low union presence that are female dominated and/or in the community sector.

Policy and Legislation

QWWS as part of the National Working Women's Centres made submissions to the Australian Human Rights Commission National Review into Pregnancy Discrimination, Parental Leave and Return to Work in late 2013. This report which was released in 2014 provided an overview of the headline prevalence data gathered from the National Survey with the results identifying that one in two (49%) of mothers reported experiencing discrimination in the workplace at some point during pregnancy, parental leave or return to work with half of these (50% reporting discrimination when they requested flexible work arrangements and 38% reported discrimination in relation to pay, conditions and duties).

QWWS also supported and promoted the Sex Discrimination Commissions promotion of the "know where the line is" campaign that highlighted and sought to bring attention to the persistent problem of sexual harassment in Australian Workplaces.

Economic Security 4Women

QWWS is a long-term and active member of the National Women's Alliance (Economic Security 4Women), and through this alliance we network and share information with women around Australia as well as the Office for Women and national policy makers.

eS4W have released an online resource for women called "Know your own value" - which is a checklist for negotiating employment arrangements. This was developed because research identified that there are considerable differences between employment negotiations of women and men with women tending to less successful outcomes. The resource encourages more effective preparation and participation by things like investigating the organisations remuneration policies, knowing what constitutes a fair and favorable employment condition as well as developing positive remuneration protocols and practicing negotiations.

QWWS congratulate eS4W on this resource which is available on their website: <http://www.security4women.org.au/knowyourvalue/#negotiating>.

eS4W also made on behalf of members contributions to the Submission to the Productivity

Commissions Inquiry into childcare and early learning and to the National Roundtable for the Australian Human Rights Commission Review into Pregnancy Discrimination. Anna Davis from Northern Territory Working Women's Centre represented QWWS and the national centres at this roundtable.

Each year Equal Pay Day is held as a reminder that it takes an additional 66 days from the end of the financial year for the average woman has had to work to earn what the average man earned in that previous year. eS4W is active each year in September in seeking media attention for this important issue.

Strategic Focus

The strategic focus of QWWS has continued to be six priority areas, which are: capacity, financial governance, ideas and philosophy, internal relationships, sector development and partnerships and access to our services. The news of additional commonwealth funding via the Fair Work Ombudsman that became available in August 2013 was very welcome and will assist us to maintain services and the strategic focus that was reviewed and confirmed in January 2014 to target vulnerable women as well as to continue to have a policy and systems advocacy presence where possible.

QWWS Inc. Staff

The staff at QWWS remained committed and dedicated to service delivery and our service objectives. Jessie Westaway assumed the position of Senior Industrial Officer in February 2014 and the Industrial Team has consisted of Lee Matahaere and Kate Flynn with Rita Fitton joining the permanent team in March 2014 and Alicia Philby, Zoe Baker and Jayne Carter have filled the casual Industrial Officer roles. Linda Gong has continued as our Finance/Administration Officer. I sincerely thank all our staff, whom I value enormously, for themselves and for their efforts during this period.

QWWS Service Delivery Report 2013/4

1. Provision of a telephone advice "advisory-line" for women on employment matters

During the reporting period, QWWS provided a telephone advisory service between 9am and 1pm on Monday, Tuesday, Wednesday and (until 4 pm) Friday. The office is closed on Thursdays. QWWS

receives a consistently high volume of requests for assistance and prioritises these through our triage/intake system. During this period 2263 contacted QWWS for assistance and specialized assistance was provided to 2121 women.

2. Casework assistance

This includes assistance with responding to workplace issues, advice on contracts, negotiating conditions of employment or leave, mediation and dispute resolution as well as individual advocacy and representation in relevant industrial relations commissions where a claim is accepted.

QWWS assisted 213 women with casework, including representation, during the period. This is comparable to 230 for the same period last year. Through this service over \$800,000 was recovered from employers for women by way of entitlements or compensation for unfair dismissal, underpayment of wages or discrimination. Reinstatement, apologies and the provision of positive references were also sought and achieved for many clients.

Referrals and partnerships for industrial advocacy for women

During the period, QWWS maintained and developed a number of referral partnerships to assist women with matters that could not be progressed by QWWS. This included clients who wished to take their complaints to a tribunal hearing, those who needed higher-level legal advice or callers who fell outside our target groups.

QWWS has maintained our referral relationships with Maurice Blackburn Lawyers and Rob Stevenson of Australian Workplace Lawyers. These organisations have provided assistance to QWWS's clients as well as to our Industrial Officers when we have needed expert legal opinions on industrial matters.

3. Community outreach to women on workplace issues

QWWS delivers workshops and information sessions to groups of women in the community aimed at increasing awareness of workplace issues, preparing for and re-entering work and developing negotiating skills in the workplace. During this period, two workshops were delivered with workshops planned in regional areas in the coming period.

4. Client statistics

From 1 July 2013 to 30 June 2014, QWWS received a total of 2263 client queries. These included:

- 2121 specialised assistance calls
- 213 new casework clients and
- 142 general inquiry clients.

Client demographics

- 2% of clients identified as being from Aboriginal or Torres Strait Islander backgrounds.
- 10.5% of clients identified as being from culturally and linguistically diverse backgrounds.
- 45% of women were in the age group 25-45.
- 70% of client queries came from outside the Brisbane metropolitan area
- 18% of women were employed on a casual basis.
- 9% identified as having a disability

Issues for QWWS clients

During the past year, the majority of enquiries to QWWS (902) concerned dismissal (unfair, unlawful or invalid), this was an increase of over 200 from last year. Discrimination (349) and workplace harassment (338) also represented a high proportion of enquiries. QWWS clients often present with multiple and complex concerns in relation to their employment.

The most common industries represented by QWWS clients during the period were health and community services (18%) and the retail and wholesale sectors (14%). These have consistently been the most common industries employing QWWS clients over the past eight years.

In a slight decrease (2%), 47% of our callers were permanent full-time employees, with 18% casual and 17% permanent part-time employees. This compares to 47% full-time and 16% part-time and 19% casual clients last year.

The majority of clients were referred from a federal government agency (53%) followed by state

government agency (19%).

5. Media/promotional activities

QWWS engaged media and promotional activities this year, including:

- International Women's Day Breakfast
- Attendance at the *Association of Industrial Relations Academics Australian and New Zealand Conference*
- IRSQ Women in IR High Tea
- Women's Legal Service Domestic Violence Forum
- Gadens Lawyers Breakfast for Domestic Violence Awareness
- Economic Security 4 Women Activities

QWWS client feedback

QWWS conducted regular client evaluations of specialist advise, casework clients and education/information sessions. 100% of the casework clients who responded indicated that they were very satisfied or satisfied with the assistance they have received from QWWS during this period 2013/4.

Emerging issues for QWWS clients

Industry issues

This year, as similar to past periods, clients working in health and community services, personal service, wholesale or retail and hospitality/accommodation represented over 42% of QWWS callers. These industries are typically Award based and all have high rates of complaints about discrimination and dismissal, with high numbers of calls relating to workplace harassment. These industries are also highly casualised and part time and characterised many of the issues faced by women more broadly in their employment. Often women's employment in these areas is reasonably short term and for those who lose employment there can be long waits between jobs which increases risks of lifestyle decreases and many women report that they are facing

homelessness or having to move in with friends and family to get them through these periods.

Often and particularly in retail and hospitality, women are dismissed for petty reasons and there is still a trend of phasing out hours for young workers as they approach their twenties and wage costs increase as well as the trend of replacing older workers with younger staff which is common in instances where older workers have caring responsibilities or request flexible work arrangements.

For Migrant women and women working on 457 or 417 visas, issues there have been numerous reports of exploitation and underpayment of wages and while many of these jobs are in regional areas women face the concerns of limited support, housing and access to assistance with language difficulties.

Pregnancy and sex discrimination have continued to be unacceptably high for women and there has been an increase in cases taken on by QWWS in the past 12 months with women choosing to make complaints in either the Anti Discrimination Commission Queensland or the Australian Human Rights Commission. While these issues occur across industries, women in client service based industries who are often permanent report high rates of redundancy and refusal to accommodate requests for returning to work part time.

Annual complaint comparisons:

Over the past four years, pregnancy discrimination increased alarmingly from 2% to 3.5% to 5.7 and 5.65% of callers. Unfair dismissal complaints have risen over three years from 33% to 38% to 42% of callers and enquiries about redundancy increased from 8% to 9% to 11% of callers this past year.

Casework and case studies

During the twelve month period QWWS negotiated \$857,822 in settlements for our clients. This reflects the conciliatory nature of our work as none of these amounts were achieved through decisions made at hearing or in court. The most common matters that QWWS undertook casework and representation on behalf of clients were, unfair dismissal (59%), discrimination matters (35%) including pregnancy discrimination (9%), sexual harassment (5.6%). Other matters involved workplace harassment (10.7%) and redundancy (11%).

Below are some scenarios faced by our clients with names and identifying information changed.

Re instatement and Compensation for unfair dismissal:

Julie was 21 and, had a traineeship with a large organization. After six months she was dismissed after making a complaint about her treatment by a colleague at work. QWWS was able to negotiate with the Department of Employment and Training and the employer to have Julie reinstated and her training contract maintained.

Evelyn who is 63 years old and had worked for a small industrial cleaning business for 1 year. The client was accused of petty theft and dismissed without any investigation of the claims or any fair process. QWWS was able to negotiate a payment of 10 weeks in recognition of the lack of fairness before the matter was lodged with the Fair Work Commission.

Jackie had worked for the same firm of accountants for more than ten years. However when she tried to return from maternity leave the company maintained that she had resigned. When she argued that she had not, her employer told her she was redundant and offered her a lesser position. However QWWS assisted her to compile her argument and assisted her to negotiate a redundancy package above her entitlements.

Family Responsibilities Discrimination

Denise was a long term employee but needed to change her working arrangement as the care arrangements for her sister who had a disability had changed. Her employer and work colleagues treated her unfavorably , would not accommodate her request and started to performance manage her. A formal complaint was made and the matter was conciliated with the assistance of QWWS. Denise and her employer settled for an undisclosed amount and her outstanding entitlements.

Sexual Harassment

Charlie, had worked for three years in a client services position for a medium sized employer. Two older male employees began to sexually harass her and made several sexual propositions to her as well as sent her obscene emails. After a number of months of putting up with the behaviours, Charlie complained to her employer who indicated he would look into the matter but the behaviour did not cease.

Charlie left her employment because of the ongoing stress and refusal of her employer to act on her complaint and lodged a complaint at the Anti Discrimination Commission with the assistance of QWWS. At conciliation the matter settled for an undisclosed amount that Charlie was happy with as well as undertaking that the employer would provide training to his staff about discrimination and harassment.

Pregnancy Discrimination

Janice worked for seven years in a regional small manufacturing factory. When Janice disclosed to her employer that she was pregnant, her employer suggested to her that she go from permanent to casual. Janice agreed. When Janice sought to return to her position after parental leave she was told that there was no positions available. Janice was very upset about this but did not want to take the matter further except for QWWS to contact the employer to advise them of her entitlements and the possible redress available to Janice so that they were better informed.

General Protections involving dismissal

Romana worked as a receptionist at a medical centre for two years. She discovered from the FWO website that she should be paid at a higher classification than what she was currently on. She also discovered that there had been a review of her award and pay rates in general were going up. She wrote an email to her manager advising them of this. The response from her employer was that she should be happy on what she was on and if she didn't like it, then she could leave.

Romana emailed a couple more times about the situation and instead of addressing the issue, the employer advised that they took her emails as her being unhappy in her job and wished her well in her future and dismissed her.

A General Protections Dispute was heard over the phone with a FWC conciliator. The matter resolved for an undisclosed amount and a statement of service.