



ACT
Government

Chief Minister, Treasury and
Economic Development

Freedom of Information Disclosure Log Publication Coversheet

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

Application Details	
Ref. No.	CMTEDDFOI 2023-396
Date of Application	24 November 2023
Date of Decision	2 February 2024
Processing time (in working days)	44
Fees	Waived
Decision on Access	Partial Release
Information Requested (summary)	Information in relation to the "Women in Construction Procurement Policy Discussion Paper" released by Procurement ACT in March 2023.
Publication Details	
Original application	<input checked="" type="checkbox"/> Published <input type="checkbox"/> N/A
Decision notice	<input checked="" type="checkbox"/> Published <input type="checkbox"/> N/A
Documents and schedule	<input checked="" type="checkbox"/> Published <input type="checkbox"/> N/A
Decision made by Ombudsman	N/A
Additional information identified by Ombudsman	N/A
Decision made by ACAT	N/A
Additional information identified by ACAT	N/A

From: no-reply@act.gov.au
To: [CMTEDD FOI](#)
Subject: Freedom of Information request-CMTEDDFOI 2023-396
Date: Thursday, 23 November 2023 3:44:27 PM

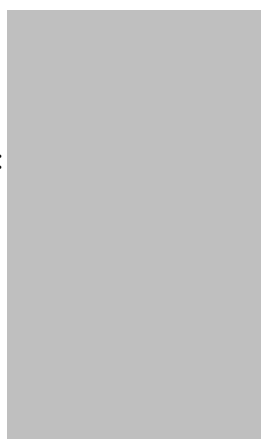
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Please find online enquiry details below. Please ensure this enquiry is responded to within fourteen working days.

Your details

All fields are optional, however an email address OR full postal address must be provided for us to process your request. An email address and telephone contact number will assist us to contact you quickly if we need to discuss your request.

Title:
First Name:
Last Name:
Business/Organisation:
Address:
Suburb:
Postcode:
State/Territory:
Phone/mobile:
Email address:

A large grey rectangular area redacting the user's personal details, including title, name, business, address, suburb, postcode, state, phone, and email.

Request for information

(Please provide as much detail as possible, for example subject matter and relevant dates, and also provide details of documents that you are not interested in.)

Under the Freedom of Information Act 2016 I want to access the following document/s (*required field):

All or any, submissions, responses, feedback, or "input from stakeholders", received by Procurement ACT between 30 March 2023 and 30 June 2023, in relation to the "Women in Construction Procurement Policy Discussion Paper" released by Procurement ACT in March 2023, including but not limited to any submissions, responses, feedback, input or survey responses received through the online Your Say portal "<https://yoursayconversations.act.gov.au/womeninconstruction>".

I do not want to access the following documents in relation to my request::

Thank you.
Freedom of Information Coordinator



FREEDOM OF INFORMATION REQUEST

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 23 November 2023 in which you sought:

All or any, submissions, responses, feedback, or "input from stakeholders", received by Procurement ACT between 30 March 2023 and 30 June 2023, in relation to the "Women in Construction Procurement Policy Discussion Paper" released by Procurement ACT in March 2023, including but not limited to any submissions, responses, feedback, input or survey responses received through the online Your Say portal

["https://yoursayconversations.act.gov.au/womeninconstruction"](https://yoursayconversations.act.gov.au/womeninconstruction).

Authority

I am an Information Officer appointed by the Director-General of CMTEDD under section 18 of the Act to deal with access applications made under Part 5 of the Act.

Timeframes

In accordance with section 40 of the Act, CMTEDD is required to provide a decision within 30 working days of the access application being received. Following third party consultation, the due date for a decision is **5 February 2024**.

Decision on access

Searches were completed for relevant documents and **eight** documents were identified that fall within the scope of your request.

I have included as **Attachment A** to this decision the schedule of relevant documents. This provides a description of the documents that fall within the scope of your request and the access decision for each of those documents.

I have decided to grant **full access** to five documents and **partial access** to three documents as I consider them to contain information that would, on balance, be contrary to the public interest to disclose under the test set out in section 17 of the Act.

My access decisions are detailed further in the following statement of reasons and the documents released to you are provided as **Attachments B** to this letter.

In accordance with section 54(2) of the Act a statement of reasons outlining my decisions is below.

Statement of Reasons

In reaching my access decisions, I have taken the following into account:

- the Act,
- the scope of your requested information,
- third party consultation, and
- the content of the documents that fall within the scope of your request.

Exemptions claimed

My reasons for deciding not to grant access to the identified documents and components of these documents are as follows:

Information that would, on balance, be contrary to the public interest to disclose under the test set out in section 17 of the Act

Public Interest

The Act has a presumption in favour of disclosure. As a decision maker I am required to decide where, on balance, public interest lies. As part of this process, I must consider factors favouring disclosure and nondisclosure.

In *Hogan v Hinch* (2011) 243 CLR 506, [31] French CJ stated that when ‘used in a statute, the term [public interest] derives its content from “the subject matter and the scope and purpose” of the enactment in which it appears’. Section 17(1) of the Act sets out the test, to be applied to determine whether disclosure of information would be contrary to the public interest. These factors are found in subsection 17(2) and Schedule 2 of the Act.

Taking into consideration the information contained in the documents found to be within the scope of your request, I have identified that the following public interest factors are relevant to determine if release of the information contained within these documents is within the ‘public interest’.

Factors favouring disclosure in the public interest under Schedule 2 s2.1:

(a) disclosure of the information could reasonably be expected to do any of the following:

- (ii) promote open discussion of public affairs and enhance the government’s accountability.*
- (iii) contribute to positive and informed debate on important issues or matters of public interest.*

Having considered the factors identified as relevant in this matter, I consider that release of the information contained in these documents may reasonably be expected to promote open discussion about government’s support for gender equality in the workplace and commitment to the Women in Construction policy.

Noting that the Act has an express pro-disclosure bias which reflects the importance of public access to government information for the proper working of a representative democracy, I must consider the above factors for disclosure against those factors favouring nondisclosure. However, in this case I do give significant weight to the factors for disclosure.

Factors favouring nondisclosure in the public interest:

(a) *disclosure of the information could reasonably be expected to do any of the following:*

(ii) prejudice the protection of an individual's right to privacy or any other right under the Human Rights Act 2004.

(xii) prejudice an agency's ability to obtain confidential information.

Having reviewed the documents, I consider the protection of an individual's right to privacy is a significant factor. I have decided that their right to privacy in relation to their personal information has a higher weighting for nondisclosure, than the public interest has in disclosing this information. I am of the view that disclosure of names and signatures of those participating in workshops and forums, where they are not already publicly available could prejudice their individual rights to privacy under the *Human Rights Act 2004*.

Schedule 2 section 2.2(a)(xii) has been considered as a factor for nondisclosure of some information, in that contact details of groups involved were provided for workshops and information gathering exercises. This information has been redacted, as it was provided to the government as a means of allowing communication for a particular issue and could be assumed to have been provided in confidence. Release of this information could reasonably be expected to limit the ability for the Government to gain trust in future dealings.

Having applied the test outlined in section 17 of the Act and deciding that release of some of the information contained in the documents is not in the public interest to release, I have chosen to redact this specific information in accordance with section 50(2). Noting the pro-disclosure intent of the Act, I am satisfied that redacting only the information that I believe is not in the public interest to release will ensure that the intent of the Act is met and will provide you with access to information held by CMTEDD within the scope of your request.

Charges

Processing charges are applicable for this request because the total number of pages to be released to you exceeds the charging threshold of 50 pages. However, the charges have been waived.

Disclosure Log

Under section 28 of the Act, CMTEDD maintains an online record of access applications called a disclosure log.

Your original access application and my decision will be published on the CMTEDD disclosure log. Your personal contact details will not be published.

<https://www.cmtedd.act.gov.au/functions/foi/disclosure-log-2023>

Ombudsman Review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in CMTEDD disclosure log, or a longer period allowed by the Ombudsman.

We recommend using this form [Applying for an Ombudsman Review](#) to ensure you provide all of the required information. Alternatively, you may write to the Ombudsman:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601

Via email: actfoi@ombudsman.gov.au

ACT Civil and Administrative Tribunal (ACAT) Review

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT:

ACT Civil and Administrative Tribunal
GPO Box 370
Canberra City ACT 2601
Telephone: (02) 6207 1740
<http://www.acat.act.gov.au/>

Should you have any queries in relation to your request please contact the CMTEDD FOI team by telephone on 6207 7754 or email CMTEDDFOI@act.gov.au.

Yours sincerely,



Katharine Stuart
Information Officer
Information Access Team
Chief Minister, Treasury and Economic Development Directorate
02 February 2024



ACT
Government

Chief Minister, Treasury and
Economic Development

FREEDOM OF INFORMATION REQUEST SCHEDULE

WHAT ARE THE PARAMETERS OF THE REQUEST

Reference NO.

All or any, submissions, responses, feedback, or "input from stakeholders", received by Procurement ACT between 30 March 2023 and 30 June 2023, in relation to the "Women in Construction Procurement Policy Discussion Paper" released by Procurement ACT in March 2023, including but not limited to any submissions, responses, feedback, input or survey responses received through the online Your Say portal "<https://yoursayconversations.act.gov.au/womeninconstruction>".

CMTEDDFOI 2023-396

Ref No	Page number	Description	Date	Status	Reason for Exemption	Online Release Status
1	1-6	Submission	5 April 2023	Full Release		Yes
2	7-41	Minutes WIC Workshop	2 May 2023	Full release		Yes
3	42-44	WIC Workshop minutes	15 May 2023	Full release		Yes
4	45-46	Submission	17 May 2023	Partial Release	Sch 2 s2.2 (a)(ii)	Yes
5	47-118	CFMEU Submission Women in Construction Procurement Policy	17 May 2023	Full release		Yes
6	119-122	Submission_-_Women_in_Construction_Procurement_Policy	19May 2023	Full release		Yes
7	123-133	MBA ACT Procurement WIC Submissions	22 May 2023	Partial Release	Sch 2 s2.2 (a)(ii)	Yes
8	134-138	Women in Construction Survey Data	undated	Partial Release	Sch 2 s2.2 (a)(ii); Sch 2 s2.2 (a)(xii)	Yes
Total No of Docs						
8						

Sch 2.2(a)(xi) ; Sch 2.2(a)(xii)



Wednesday, 5th April 2023

Women in Construction Procurement Policy Discussion Paper
Chief Minister, Treasury and Economic Development Directorate
GPO Box 158
Canberra ACT 2601

Emailed to: CMTEDDProcurementPolicyandCapability@act.gov.au

To whom it may concern,

PUBLIC SUBMISSION

I am extremely pleased to provide this public submission in response to the ACT Government's release of its *Women in Construction Procurement Policy Discussion Paper*. Feedback on this discussion paper is sought by Wednesday 17th May 2023.

I welcome the ACT Government's policy approach to develop a Women in Construction Procurement Policy to help to achieve gender equality in construction in the Canberra region.

This discussion paper invites key stakeholders to collaboratively shape its development to ensure it is both achievable and impactful and Sch 2.2(a)(xi) ; Sch 2.2(a)(xii) is extremely pleased to support these important reforms and to make a contribution as part of this discussion paper and the ACT Government's public consultation process.

This policy approach continues the ACT Government's commitment to initiatives that partner with industry and the education sector to further increase the number of women in construction in the Canberra region.

For example:

- Canberra Institute of Technology (CIT) Campus Woden Construction Project – where a commitment has been made in all aspects of the project to support women in construction.
- Spark Project by Ginninderry – an innovative training program to encourage more women to consider a career in the civil construction industry.
- The Understanding Building and Construction Pilot Program – that supports young women to pursue their passion of a career in construction.
- The Women in Trades Grants Program – that supports the implementation of eight Women in Trades Grants projects to assist over 70 women looking to pursue a trade.

The ACT Government plans to introduce two new requirements on suppliers for applicable procurements:

- Gender-based employment targets; and
- Evidence of gender equality measures in a supplier organisation broadly, or for the specific procurement (for example, a gender equality strategy, audits, policies or action plans).

The proposed ACT Government targets include:

Contract based targets

Suppliers may choose to achieve a contract-based target. These targets are based on personnel delivering the specific contract.

Contract based target: women will be required to perform at least 25 per cent of the total estimated labour hours of the contract with at least 5 per cent of the total estimated hours for trade covered labour and *non-trade construction award covered labour roles performed by women.

*Non-trade covered labour means: trainees and ancillary workers engaged by the Principal Contractor or sub-contracted to perform work.

Organisational targets

Suppliers may choose to meet an organisational target. These targets are based on the Canberra region-based full time equivalent workforce maintained during the contract term.

Overall workforce: Women must represent at least 30 per cent of the supplier's workforce including:

- Trade covered labour: Women must represent at least 3 per cent of all trade covered labour positions of the supplier.
- Non-trade construction award covered labour: Women must represent at least 7 per cent of all nontrade Construction Award covered labour positions of the supplier.
- Management/supervisory and specialist labour: Women must represent at least 25 per cent of all management/supervisory and specialist labour positions of the organisation.

Apprenticeship Target

For construction procurements with a total estimated value of \$10 million or more and an anticipated contract term of 3 years or more would need to achieve a contract-based target for apprenticeships.

Apprentice and Trainee Target: women are required to represent at last 20 per cent of total estimated labour hours for registered apprentices and trainees performing the contract works.

Sch 2.2(a)(xi) ; Sch 2.2(a)(xii) **supports all of these proposed targets and applauds the ACT Government's bold vision to encourage and support more women into construction and other non-traditional trades.**

We note that the policy is expected to be released in late 2023 with the commencement expected on 1st July 2024 which is a sensible and measured approach to provide certainty for businesses and to allow suppliers sufficient time to adapt their business practices and increase the participation of women in their organisation by the policy commencement date.

A range of guidance material will be developed by the ACT Government to support suppliers and government buyers to implement the Policy such as a:

- Women in Construction Buyers' Guide;
- Template for Gender Equality Measures; and
- Guide to Suppliers on Enhancing Gender Equality in the Construction Industry.

I would also like to propose as a suggestion in addition to having these guides for suppliers and templates for gender equality measures which are both certainly needed:

- **For the ACT Government to consider hosting a face-to-face implementation and policy workshop with both women in construction trainees and apprentices and suppliers across the Canberra region** in the lead up to the policy commencement date in order to ensure a smooth transition to these new procurement targets and to provide clarity and certainty for suppliers and businesses to address any implementation questions or concerns to allow for a more seamless implementation phase of the policy whilst still achieving the ACT Government's policy objectives.

The importance of empowering women into non-traditional construction and other trades

Empowering women to enter the field to bridge the talent gap can be brought to life during recruitment stages but also thereafter in retaining and progressing talent with tailored growth plans.

To help change the perspective on technical roles only being suited to males, organisations should be intentional in the way they undertake initiatives by using inclusive language and ensuring a balance of genders on the shortlist.

The time is now to better invest in education and training aimed at women to support them into in-demand roles.

Princes Highway upgrades on the South Coast of NSW

There have been some really excellent examples of this on infrastructure and road projects such as the Princes Highway upgrades and the new Nowra Bridge project on the NSW South

Coast which embraced women and girls in non-traditional building and construction roles as part of these important road upgrades and major infrastructure projects.

The new Nowra Bridge project for example included:

- 60 per cent of the workforce being local.
- 10.4 per cent Aboriginal participation.
- **5.5 per cent female participation in non-traditional roles.**
- 15.5 per cent youth employment (under 25).

From March 2016, the NSW Government began trialling skills and diversity targets on NSW Government infrastructure projects through the Infrastructure Skills Legacy Program (ISLP).

The program was further supported by actions from the NSW *10-point commitment to the construction sector* in July 2018, which had the overall aim of improving skills, training, and diversity for the construction industry workforce.

When data was released in June 2021, the defined workforce participation targets were exceeded across all projects falling under the ISLP, with:

- 29% of the total project workforce consisting of 'learning workers'
- 28% of all trade positions consisting of apprentices
- **4% of all trade positions staffed by women in non-traditional roles**
- 15% of the total project workforce being less than 25 years of age
- 8% of the total project workforce being Aboriginal and Torres Strait Islander people.

The now completed Berry to Bomaderry upgrade of the Princes Highway was also included in the Infrastructure Skills Legacy Program and local women in non-traditional roles benefited from this.

A non-traditional trade is defined as one where women represent less than 25% of apprentices or workers. These include horticulture, automotive, building and construction, manufacturing, butchery, boiler making, electrical, carpentry, plumbing, engineering, information technology, commercial cookery and others.

I note that many young women have benefitted from mentorship where they have gained considerable and valuable knowledge and skills from experienced leaders in the building and construction sector, however, Ben Blackburn Racing also supports the need for additional robust diversity and inclusion programs designed for women, migrants, LGBTQIA+ people and people with a disability to keep improving diversity in STEM outcomes for all Australians.

This is important to ensure there is a broad and diverse talent pool to support industry growth and profitability and to support women in the Canberra region.

It is for this reason I fully support the ACT Government's reform approach and these proposed women in construction procurement policy targets.

Thank you very much for the opportunity to make a contribution through this public submission on the ACT Government's *Women in Construction Procurement Policy Discussion Paper*.

Sch 2.2(a)(xi) ; Sch 2.2(a)(xii)

A large grey rectangular redaction box covers the content of the page below the text 'Sch 2.2(a)(xi) ; Sch 2.2(a)(xii)'. The redaction is complete, obscuring all text and graphics that would otherwise be present in this section of the document.

Meeting Minutes for Women in Construction Procurement Policy Workshop

Minutes of the meeting of: *Women in Construction – Proposed Procurement Policy Workshop*

Held on Microsoft Teams **on** 2 May 2023, 5:30 to 6:30pm.

Attendees:

- ACT Government
- External attendees: Rosalind Read (Senior legal officer, CFMEU), Anna Norton (Trade, CFMEU)

Material presenting: Powerpoint on Women in Construction Proposed Policy

 [Women in Construction Workshop.pptx](#)

 [WIC Survey results brief.docx](#)



Women in
Construction Workshc

Issues raised from workshop:

1. **Not clear whether the gender-based employment targets of the policy has been “set in consultation with Pilot Program Steering Committee”.**
 - a. Rosalind raised that she was part of that Steering Committee and did not feel that it was accurate to say that these proposed targets were set in consultation with the Steering Committee. Specifically, not sure where the number of FTE to be women in a contract/organisation was determined.
 - b. Rosalind explained that the topic of proposed targets for this procurement policy could not have been discussed because the role of that committee is to “introduce young women into the construction industry through their school education”.
 - c. Chair thanked Rosalind for bringing up that piece of information to our attention, the consultation was prior to her time. The target numbers are a key consultation piece and can be adjusted.
 - d. ACT has published on a public discussion paper and on the YourSay website that the Steering Committee, along with other union representatives, were consulted on the employment targets.
 - e. After further research, the Pilot Program Steering Committee were consulted regarding the gender based employment targets.
2. **Potentially only having one target option (i.e either contract-based and organisation-based target) which could be more feasible for organisations and businesses.**
 - a. Rosalind raised some points for clarification:
 - i. With the 2 options (contract specific or organisation) how does it “ensure flexibility”? It seems to be adding a layer of complexity.
 - ii. Why are the targets different because businesses can meet a lower target in the contract target rather than the organisational?
 - b. The Chair explained that having two options aims at creating flexibility for organisations depending on what is feasible for them and achievable. We recognise that the organisation-based targets may be difficult for some

organisations/businesses, and that bringing women in the construction industry is critical in order to achieve this target.

- c. The Chair explained that these options are a major consultation piece and if having two different targets effectively creates additional layers of burden/difficulty in applying the policy we can look to defer to either one of these options. The feedback and consultation will drive this change.
- d. Rosalind: From her perspective, it would be easier for an employer to meet a contract-based target having regard to the low-base industries are starting on. The organisation-based target will likely be more difficult with the construction industry we have. For organisations, they can aim for a contract-based target and target their women workforce there which then could lead to more women in their organisation.

3. Identifying wider ACT Government apprenticeship targets may need alignment to proposed WIC targets

- a. Anna raised a question: Does the ACT government currently have targets for apprenticeships in general for tendering jobs?
- b. Anna raised this point as given the actual numbers of women in apprenticeship jobs, setting a target in this procurement policy may not be as effective. There needs to be broader apprenticeship targets.
- c. The Chair highlighted the CIT project which has a target of women in apprenticeships. Phil mentioned that the Commonwealth are investigating 1 in 10 to be in apprenticeships.
- d. Rosalind raised that there may need to be a target for the number of apprentices on the job. Specifically, she raised that if there are no requirement to have apprentices of any gender, then this won't result in any women apprentices.
- e. Alternatively, the government could say that there needs to be a x ratio of apprentices on the job to encourage the builder to engage apprentices.
- f. The Chair provided the example for clarity of a contract target saying "you must have apprentices on the job, and of those 20% must be women" which Rosalind agreed. Therefore, there needs to be a target that is meaningful and measurable, and explicit in the contract.

4. Mandatory approach may be necessary first to push the industry.

- a. Rosalind: This will be explored in the submission CFMEU will provide. In their view in regard to the history of the industry and similar to the LRTWE scheme which didn't result in any changes, the mandatory approach is needed.
- b. The mandatory approach will be needed to get the momentum going and the assessment approach could be something to consider at a later date where the industry has matured. But coming from a low base in growth of women in construction, the mandatory approach would have more impact.
- c. The Chair agreed and highlighted the approach being mandatory first then after some policy reviews could move to more changes to an assessment approach at a later date.

5. Rosalind: Where does the policy fall in the current procurement process?

- a. The Chair highlighted that depends on the approach taken from this policy. It will determine where this policy falls in the current procurement process, which will

Meeting Minutes for Women in Construction Procurement Policy Workshop

require some consideration in the procurement design and the operation depends on the measures.



Good afternoon and welcome to the Women in Construction stakeholder consultation Workshop. We are glad you are able to join us today to help with shaping the future ACT Government Women in Construction Procurement Policy.

Acknowledgement of Country

We wish to acknowledge the Ngunnawal people as traditional custodians of the land we are meeting on and recognise any other people or families with connection to the lands of the ACT and region.

We wish to acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

We would also like to acknowledge and welcome other Aboriginal and Torres Strait Islander people who may be attending today's event.



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Outline of the Workshop

1. Background
2. The consultation process
3. Survey / Opportunity to contribute to key topics
4. Questions



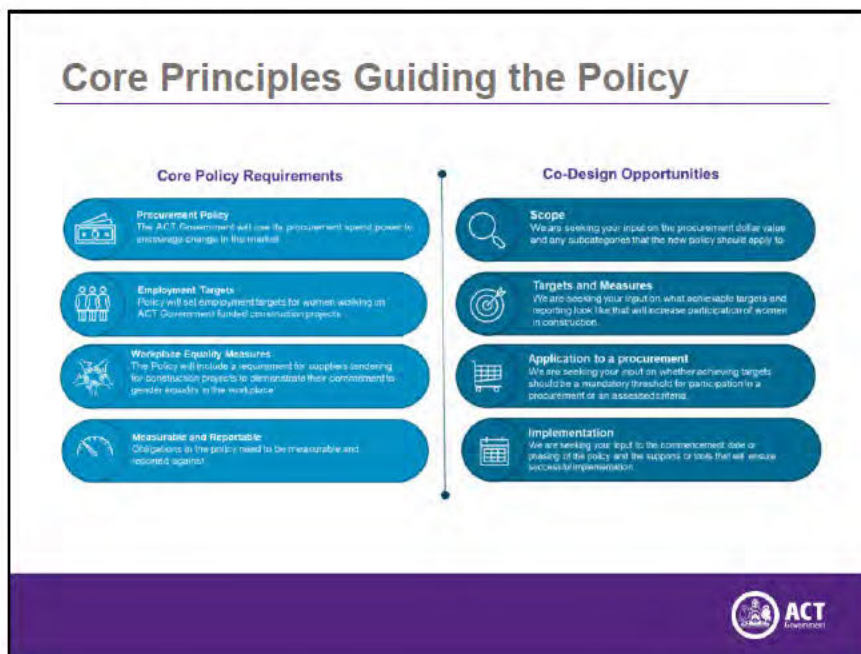
Today's workshop will outline 4 key areas

1. Background- which will provide an understanding of the proposed policy and an overview of what has been implemented in other Australian jurisdictions
2. The consultation process- How stakeholders are consulted through to the implementation of the policy
3. Survey/Opportunity to contribute to key topics- We will go through the survey in the workshop to provide extra context and guidance
4. Questions- could you kindly save your questions till the end or write it in chat and we will get to them at the end.

ACT Government

1. Background





The proposed WIC policy consists of four core principles:

1. **Procurement Policy** - The Territory's ability to influence the market (i.e purchasing power) has been carefully considered in the proposed policy – specifically, we are seeking feedback on whether the proposed \$5mil threshold for the policy to apply to construction procurement is reasonable.
2. **Gender Employment Targets**- proposed gender targets in the construction industry- The specific gender targets will be discussed in detail during the survey.
3. **Gender equity strategy**- Under the proposed Policy, suppliers would be required to submit a Gender Equality Strategy with their response outlining their approach and future action in relation to enhancing gender equity in the workplace. Suppliers will be required to outline how they will implement a safer and more welcoming workplace in the following areas as part of their tender submission:
 - Workplace harassment prevention and response
 - Inclusive and respectful workplace
 - Flexible and empowering workplace

- Diverse and representative workforce
- Improve leadership representation and accountability
- Collect report data about gender equity and gender pay gap

4. Reporting and monitoring framework- Ongoing reporting requirements during the life of the construction project to ensure compliance with the policy.

These key principles will be explored further throughout the presentation.

When does the policy apply?

- ACT Government construction projects worth an estimated \$5 million or more
- Proposed to be implemented in June 2024
- Will provide flexibility for the industry and different options to meet these targets



The proposed policy will apply is for ACT Government construction projects worth more than \$5 million or more. We are consulting on the threshold limits.

The policy is expected to be implemented in June 2024, but a transition period can be extended and we are consulting on the commencement date.

We are consulting on the proposed targets and the flexibility industry can meet the targets.

Discussions around the targets and thresholds will be covered in the survey later in workshop

What are other jurisdictions doing?



- **Victorian Government** have launched the Building Equality Policy in 2021 to attract, recruit and retain women for Victorian Government construction projects over \$20 million.
- **Western Australia** are trialling a 12-month pilot program to gather gender data from suppliers. It commenced in 2022.
- **NSW** - Infrastructure Skills Legacy Program - trialling Women to be 4% of trade workforce and 7% of project workforce in non-traditional roles.



Currently there are three jurisdictions which have a formal Women in Government Procurement policies.

Victoria has launched the Building Equality Policy in 2021, requiring suppliers to meet onsite gender equality limited.

Western Australia are running a 12 month pilot to trial to gather gender equity data to better inform implementing gender equality policies in the future.

NSW have launched the Infrastructure skills legacy program. They are trialling targets for large infrastructure projects worth over \$100million the following targets 4% of trade workforce and 7% of project workforce in non-traditional roles

Vic

<https://www.vic.gov.au/building-equality-policy#:~:text=Suppliers%20must%20meet%20the%20following,hours%20for%20each%20trade%20position>

WA



<https://www.wa.gov.au/government/announcements/gender-equality-procurement-wa-public-sector-pilot>

NSW

<https://www.nsw.gov.au/education-and-training/vocational/vet-programs/infrastructure-skills>

Women in Construction Statistics

- Women in Australia make up 25 per cent of the construction workforce, compared to 51 per cent across other industries.
- Women in Australia consist of only 2 per cent of tradespeople in the construction sector
- The gender pay gap in the construction industry is 30.6 per cent, the largest pay gap in any Australian industry.

The following statistics provide an overview of the current state of the construction industry in Australia and why policies are required to be implemented to increase workplace equality:

Women make up only 25 per cent of the Australian construction workforce, compared to an overall level of 51 per cent across other industries. [2020-21 WGEA SCORECARD.pdf](#).

• Women have consistently comprised only 2 per cent of tradespeople in the Australian construction sector over the past 30 years. [Building Equality Policy | Victorian](#)

Government (www.vic.gov.au).

•The gender pay gap in the Australian construction industry is 30.6 per cent, the largest pay gap in any Australian industry. [2020-21 WGEA SCORECARD.pdf](#).

Other initiatives

- **Canberra Institute of Technology (CIT) Campus Woden Project** – Various aspects of the project have been developed to support women in construction.
- **Spark Project by Ginninderry** – An innovative training program to encourage more women to consider a career in the civil construction industry. All major ACT civil construction contractors are participants, and it is partly funded by the ACT Government.
- **The new Strathnairn Primary School and Early Childhood Education Care** will be built by a female-led construction team.
- **Understanding Building and Construction Program** – ACT Government funded program to educate girls in high school about a pathway in construction.




The women in construction procurement policy has not been implemented in isolation. There are a range of other policies and projects the ACT Government has implemented to ensure the success of Women in Construction procurement policy:

- **CIT Woden**- As part of the project there will be
 - 15 new school-based apprenticeships for girls.
 - 15 new apprentices for women.
 - a commitment for people working on the project to be made up of 10 percent apprentices/traineeships.
 - There is a 15 percent stretch target for participation of women in the design and construction of the project.
 - <https://yoursayconversations.act.gov.au/cit-campus-woden/CIT-Campus-Woden-concept-designs>

Spark Project- training programs that provide practical skills to women and girls in the construction industry including Cert II in construction, first aid, white card, asbestos awareness etc.
<https://ginninderry.com/spark-training-and-employment/spark-program-2021/>

The new Strathnairn Primary School and Early Childhood Education Care

The successful tenderer was a 100% female led organisation which provides greater role models and demonstrates that women can lead and manage a whole build

<https://www.act.gov.au/our-canberra/latest-news/2022/july/women-take-lead-in-strathnairn-school-construction>

Understanding Building and Construction Program-

ACT Government has committed \$1 Million to the education of girls in year 7-10 to learn about pathways and a possible career in the construction industry.

https://www.cmtedd.act.gov.au/open_government/inform/act_government_media_releases/yvette-berry-mia-media-releases/2022/act-school-program-to-encourage-girls-into-building-and-construction


ACT Government

2. The Consultation Process



Timeline

2 May 2023	Virtual discussion workshop
17 May 2023	YourSay Survey closes
June 2023	Listening Report released
June 2023	Policy development based on feedback
Second half of 2023	Expected Release of new policy
1 July 2024	Expected date new policy comes into effect



The following is the indicative timeline for the delivery of the women in construction policy. The survey and formal submissions is to close on 17 May. A listening report will be released in June which provides an outline of the survey results and the formal submissions we have received.

ACT Government

3. Women in Construction Survey / Opportunity to contribute to key topics

Please click on the link in Chat - It will be the hyperlink to the Survey



Section 1/7- Your relationship to the issue

Q1 - Age

Q2 - Gender

Q3 - Primary Connection

Q4 - Your role in the Industry



We want to find out, if you wish to disclose it, who you are so we can better understand the demographics of the people completing the survey.

Section 2/7- Scope of the Policy

Is the Proposed \$5 million threshold reasonable?

- 33 current construction contracts worth over \$5 million
- Total value of the 33 contracts is \$1.6 billion
- Total value of all current construction contracts (684) is \$2.7 billion



The \$5 million threshold creates a balance between the cost associated with complying with the Policy for both buyers and suppliers, ensuring the Policy targets the types of respondents where the broadest change can be enacted (such as larger suppliers), while ensuring that the Policy captures the majority of construction procurements.

Targeting lower-valued construction procurements may not strike such a balance and may affect the overall efficiency of the procurement process for

construction procurements.

For context, as of 13/4/2023, there were only 33 construction contracts worth over \$5 million, totalling \$1.6 billion. Of which, only 7 are over 4 years.

If the threshold was put at \$50 Million dollars, there would be only 5 projects worth a total of \$1 billion dollars. This may not provide a significant number of projects for change to the Territory and it may not provide enough opportunities for young women.

Some of the major construction projects currently underway include:

CIT Woden \$260million (2022-27)

John Gorton Drive and Molonglo River Bridge \$178 Million (2023-27)

While a target of \$10 million may not capture important procurement projects which may provide meaningful employment to

Coombs Playground Construction \$ \$6.8million (2021-23)

Amaroo School Expansion \$9.99 Million (2021-24)

Section 3/7- Gender Based Employment Targets

Suppliers can choose from the two proposed targets:

Option 1 - Contract Targets for Canberra Based FTE to be women:

- 25% Labour hours- Directly attributed to the project
- 5% Trade covered labour- (carpenter, plumber, etc)

Option 2 - Organisational Targets for Canberra Based FTE to be women:

- 30% Total workforce
- 3% Trade roles (carpenter, plumber, etc)
- 7% Labour roles (builder's labourer, landscaping assistant)
- 25% Management and supervisory roles and specialist labour (Construction manager, engineer)

In addition to the proposed targets above, for construction projects with an expected timeframe of 3 years or more, 20% of apprentices and trainees are to be women.



We asked respondents to tell us a bit about the current gender composition of your organisation. This will give us an understanding of how the two proposed targets could be applied.

The reason why Option 1 does not include labour roles and management labour is due to the very high threshold of meeting 5% trade covered labour. Trade covered labour usually require completion of a 4 year apprenticeship. There are only 2% of women which are in trade covered labour in Australia and therefore meeting this target is a stretch goal for any

organisation.

The proposed targets were made in consultation with the Understanding Building and Construction Pilot Program Steering Committee which comprises of members of the construction industry, unions, Office for Women and Procurement ACT.

Section 4/7- Embedding Policy Requirements in the Procurement Process

We are currently considering how best to apply the proposed gender-based employment targets to the procurement process. Options include:

- **mandatory approach** - where suppliers would need to meet the target amount as a minimum to participate in a procurement (i.e Organisations which tender must have at least 5% women identified trade cover labour)
- **assessment approach** - where suppliers tender responses will be scored higher where they meet or exceed the target, and lower where they do not meet the target. (i.e. tenders could have a weighting component on how they meet the gender targets)



We are examining the best method to apply the Women in construction policy when suppliers are tendering for procurements. We have two proposed options which we are considering. There are benefits and negatives to both approaches:

Mandatory

- Provides clear guidelines for the supplier
- Does not encourage achievement beyond the minimum requirements

Assessment-

- Encourages suppliers to achieve beyond the mandatory targets
- Provides suppliers flexibility and innovation to meet the targets

Section 5/7- Reporting and Monitoring Framework

- Proposed reporting of ongoing compliance with the Women in Construction policy to occur quarterly
- Understanding the cost to business to comply with proposed reporting requirements
- Practical issues facing organisations when complying with the policy



A significant part of the policy is understanding how the proposed targets are to be reported and monitored. To meet the intent of the policy and to ensure compliance, we are examining how we can make ongoing compliance easier, what is the total cost of business to comply with the policy, and the practical issues organisations face when implementing the policy.

Section 6/7- Supporting Tools and Resources

We are looking to create the following tools and resources to help with the implementation of the policy:

- Women in Construction Buyer's Guide
- Template for Gender Equality Measures
- Guide to Suppliers on Enhancing Gender Equality in the Construction Industry

Are there any other tools and resources required?



In this section, we are examining the tools, guides and resources required to help organisations to comply with the proposed policy. We are asking suppliers what additional guidance is required to help you comply with the policy.

Section 7/7- Other suggestions or comments

- Any other suggestions or comments regarding the policy?



Any comments, suggestions or feedback on the policy?

ACT Government

4. Questions?



Frequently Asked Questions

1. Why are we introducing a Women in Construction Procurement Policy?
2. What difference will the proposed policy measures make?
3. How will this impact the construction industry?
4. Will any existing projects be impacted by the proposed measures?
5. What is the government doing if women do not apply?
6. Will the reporting and monitoring impact small to medium sized businesses?
7. Does this policy force women to work in construction?



1. The construction sector currently has one of the highest levels of gender separation in Australia with research revealing that gender separation accounts for up to 17 per cent of the gender pay gap in the country. Industry separation contributes to the gender pay gap as well as workplace culture.

Some male dominated industries have higher rates of pay than female dominated industries, and industries that have lower proportions of female employees can be less welcoming for women. Acting to lower industry separation can help reduce the gender pay gap, improve workplace cultures, and help address workforce shortages to ensure the ACT economy continues to grow.

Through the Policy, the ACT Government aims to have a positive impact on the construction industry while meeting the infrastructure needs of the community. The proposed measures would also give suppliers the opportunity to trial more gender inclusive workplace practices while working on government projects.

2. The ACT Government plans to introduce two main requirements through the policy:

- gender based employment targets
- submission of an organisation's gender equality measures.

Targets alone will not address the cultural and structural barriers women face in

the construction industry. However, effective, long-term change can be achieved by setting targets for employing women in Government projects and will encourage our suppliers to create flexible and safe workplaces for women who aspire to have a career in construction.

3. The Policy requirements will only apply to ACT Government construction contracts with an estimated value of \$5million or more. The requirements are aimed at influencing workforce practices of relatively larger suppliers in the industry.

Proposed gender-based employment targets for apprentices and trainees will only impact contracts with an estimated contract term of 3 or more years, allowing for the possibility of completing apprenticeships on an ACT Government contract. The ACT Government is seeking stakeholder input and feedback on key elements of the Policy to balance the cost of compliance with the outcomes. Stakeholder feedback about how the proposed measures will impact the day-to-day operations of suppliers, including information on where businesses currently stand in terms of workforce participation of women, is welcome.

4. No, the Policy will not apply retrospectively.

The finalised Policy is expected to come into effect from 1 July 2024 and will apply to any eligible procurements where the approach to market documents are released from that day onwards.

Proposed policy measures will not apply to any existing contracts, unless there are significant changes to the scope of the project that would require a fresh approach to market.

5. The government has multiple initiatives to attract, recruit and retain women in construction. The Women in Construction Procurement Policy is only one of the initiatives the ACT Government to increase women in construction. The Understanding Building and Construction Program provides high school students with pathways and an understanding of a career in the construction industry. The Spark project provides nationally recognised qualifications for women looking to get into the construction industry. The proposed policy will also require organisations to provide a safe workplace for women. The overall goal of the policy is to increase the participation of women in the construction industry and provide them with as many opportunities as possible. We are also consulting on whether the targets are mandatory targets or flexible targets.

6. The reporting requirements are proposed for construction projects over \$5million. It will be the responsibility of the principal contractor which has successfully won the tender to report to the government buyer on their compliance with the policy.

7. No. The policy encourages women, if they wish to pursue a career in the construction industry. This policy seeks to lower industry gender separation, help reduce the gender pay gap, improve workplace cultures, and help address workforce shortages to ensure the ACT economy continues to grow.

ACT Government

Thank you for your time

Additional comments or questions can be provided through the YourSay website.



Summary of the survey results as of 26/4/2023

Background

1. The SMOS and Minister Berry had agreed to the release of the Yoursay Survey on 21 March.
2. The Women in Construction Procurement Policy was released to the public on 30 March 2023.
3. The stakeholder presentation was held on 2 May 2023 at 5:30-6:30.
4. This paper provides an outline of the results from the surveys, written submission and the participants that have registered for the stakeholder presentation.

Current registration of workshop participations

5. There are currently seven (7) stakeholders that have registered for the workshop. As part of the registration page, the participants were asked to outline aspects of interest, and any questions they have relating to the proposed changes.

<u>Organisation</u>	<u>Participants</u>	<u>Aspects of interest</u>	<u>Questions</u>
CFMEU (Construction Forestry Maritime Mining and Energy Union)	2	How to apply the policy, dollar thresholds, targets	Why does one of the options not have non-trade targets?
Master Builders ACT	1		
Apprentice Employment Network NSW ACT	1	How to apply the policy, targets, and dollar thresholds	
Transport for NSW	1	How to apply the policy	
Pacific Formwork	1	How to apply the policy	How to attract female workers in formwork and other physically demanding trades given the challenge of attracting candidates in general
Ben Blackburn Racing	1		
Grand Total	7		

6. To date, there has been seven (7) survey results, and one (1) written submission.

Key survey findings (based on 11 survey responses):

7. Respondents have included 6 workers in the building industry, 3 anonymous, 1 union representative, and 1 Territory Contract manager.
8. **Proposed \$5mil Threshold:** (5/11) responses with “about right” , (4/7) responses believe the \$5mil proposed threshold is “too low” and (2/7) responses with “not sure”.
9. More than half (5) of the respondents said they current do not have **employment diversity targets set** in their org/industry body.
10. The top 3 **challenges to achieving gender diversity targets in the industry** were:
 - “Limited number of experienced women in the industry” (2/7)
 - “Attracting, recruiting and retaining women in the organisation” (1/7)
 - “Low numbers of women enrolled in trade and construction related courses” (1/7)

11. More than half (5) of the respondents did not agree to having targets set as a **mandatory minimum requirement** for participation in Territory construction procurement.
12. **Gender composition** in their organisation:
 - Total % of women: 3 respondents mentioned women make up 50% or more, 1 respondent mentioned 25% and 2 respondents mentioned less than 10%.
 - Of the total % of women in their organisation, women in management roles make up the largest composition.
13. When the policy commences from 1 July 2024, 3 respondents **proposed a gender composition target** of 20-25% is feasible, 1 respondent proposed 10% and 2 respondents believed no target was feasible by this time.
14. We received 2 responses recommending **alternative evaluation methods**:
 - a. On an individual construction procurement basis, “let the procurement officer set an appropriate target for the project taking into account the construction project requirements and industry capabilities to set reasonable targets.”
 - b. Focus on the “development of skills of females”.
15. Most of the respondents believe there was a **cost to comply** to the requirements of the policy. Out of the 5 responses, 2 respondents believe it would cost “\$1,001-\$25,000” on average per contract, and another 2 mentioned it would cost “\$100,001+” to their organisation.
16. Key themes for the **challenges in implementing compliance and monitoring requirements**:
 - a. Small to medium businesses will suffer from paperwork burden.
 - b. Ensuring businesses are employing females in construction projects based on merit and skills and not in a tokenistic manner. (e.g “Businesses only hiring females to look good or to tick a box...”).
 - c. Cost in time and resources to meet requirements
17. Requested **additional supporting tools / guidance material**:
 - a. HR advice.
 - b. Gender identification material.
 - c. Factsheet on a gender diverse workforce.
 - d. Material on developing and training “female talent” in the industry.

Written Submission

18. Two written submissions have been received.
19. The submission supports all proposed targets, thresholds, and commencement dates.
20. The submission suggests, face-to-face workshops should be provided across the Canberra region to help ensure the successful implementation of the policy.
21. Another written submission was from a Territory Contract Manager
- 22.

Women in Construction Workshop minutes 15/5/2023 from 12:00pm to 12:35pm

Meeting with Jason Sultana from Apprentice Employment Network NSW/ACT

Minutes:

ACT Government – acknowledgement of country. So, Jason I thought we might just have a conversation instead of running thru workshop slides. If you can share something about what your organisation does, and interest in the policy

JS: executive officer of AEN, peak body representing all registered group training session in the NSW ACT. Lots of experience, in this particular area, we are seeing lots of activity in regards to group training sessions. Typically AEN is a leader in this space, been in advisory group for WIC. Wanted conversation to examine if there is merit in any cross jurisdictional policies.

ACT Government: mentioning her role in the policy, where we are at with draft policy, there is a lot up for grabs, want to know if the targets are pitched at the right level and whether a mandatory industry level is the right way to go. Needs to be holistically supported by processes to increase women and provide pathway to bring them in to construction industry. Lots of interesting things happening in the ACT construction industry with fully projects ran by women owned businesses. Keen to hear from you around those targets we are setting, especially at apprentice level. Some of the feedback is that it might be difficult in applying if there are no apprentices in that industry. What is your perspective, are we seeing an increase in women apprenticeships. Need more info as to where apprentices are located.

JS; in NSW we see the infrastructure skills legacy program, a lot is driven through them to be measured. In tier 1 and 2 the project needs to confirm the apprentices are there, its not about the tier 1 having to employ certain number, but it is for the project. Key is to use training groups to assist the uptake of women. Requirements can't be dumped from tier 1 to tier 2 and then to subbies. In Victoria, there policy is not enforced and it becomes just a tokenistic process. NSW has a good model that works, VIC does not. Recently had a conversation with VIC GTO counterpart, targets have been invented and not been audited, so there is no proof. It is about the role of GTOs and the tier 1s. Mentions a project in northern rivers, 4% of women trade staff, 20% of all trade workforce needs to be apprenticeships.

ACT Government: which is not dissimilar to what we are doing, interesting with this being a 10-year program.

JS: important to understand differences in size and demographics between these areas, you don't want to be so extreme in difference to other states, companies will not want to work in the ACT then.

ACT Government: we certainly don't want to make a space vastly different to NSW, we would align. We need to have regard to the specific industries within the Canberra region.

JS: You have got to consider other things such as major projects for NSW and the Federals which will be in the area, and may take people away from the ACT – ie Snowy Hydro. You can get women into the workforce but you can't keep without setting completion policies.

ACT Government: Jason what is your view on contract targets, specifically on a per procurement basis – ie 20% of total hours, there is an option there but other option is organisational level ie through setting levels for total participation. One of my concerns is the idea that a tier 1 company

winning the tender and how does this affect the tier 2 and subbies – we may see tier 1s setting targets for lower levels for them to meet the targets that the tier 1 has to meet.

JS: that is key. Is the procurement enough to cover enough sustainable work to cover a full apprenticeship. There is a role for AEN to manage work and ensure that program can be finished. Number 1 complaint for group training is the trickle down dumping of these obligations to the lower tier organisations. It should be driven by the contract holder to ensure that this dumping of obligations does not occur; this is where Vic falls over. They don't have the contract management to drive it.

ACT Government: The question can be looked at on a per procurement level, where apprentice hours will allow for work project to be completed but we don't want this trickle down effect, and we need completion.

JS: you need to have in your policy that when you talk about number requirements, needs to have scope to engage GTO's, don't need to engage labour hires to get the numbers up (use labour hires for limited). IF tier 1s don't invest in the foundations of labour, apprentice training, you won't be able to build a basis for the industry. If companies keep taking from the top there will not be a basis for apprenticeships for future work.

ACT Government: we don't want to see provision of meaningless numbers such as switching women between roles just to satisfy these requirements

JS: labour hire and GTO are both used for onsite services, but GTO is less likely to be abused.

JG: are you seeing an increase of women taking up apprenticeships?

JS: its career expo time in NSW, I have never received more applications from yr 12 women looking for construction work, but less are looking for white collar. Most are asking for roles in construction. Awareness campaigns are making inroads.

ACT Government – that's good news because this is the purpose of these processes, but we need to develop the piece to ensure that completion is being targeted, we are getting varying feedback about the ability to attract women to construction. We need to set achievable targets. We might be able to be more forward thinking due to this increase in awareness and engagement with women and the construction space.

JS you just need to be conscious that if you stop talking about it, people stop thinking about it. As part of the procurement there could be an education piece as part of it ie educating schools etc. its easy to take but if they don't give we won't have the next generation of women in the construction space

ACT Government what in your mind, you talked about VIC not having framework, apart from completion and training – what are the key things that you want to see from this policy

JS there is no simple answer, just from having a policy there is a process established to get there. We have skill shortages so the people to choose from is less. This policy has to allow for certain circumstances and increased flexibility such as return to work after birth. We need to create opportunities to allow for increased flex and increase the number of people

ACT Government just looking about flexibility stuff from the survey, I think it's the piece around empowering and flexible work will have to be more explicitly defined to allow for women to be kept in – can get them but need to keep them

JS there is a limited pool, the industry has to be made more appealing through better hours and flexibility

ACT Government is there anything else you wanted to know from us

JS from my stance, it is important to push for GTO to increase completions. We want to make sure that people can finish training and not get dumped. I.e. for procurements above a level there must be a GTO involved to ensure that apprenticeships are able to finish their program of study and don't get employed and dumped.

ACT Government interesting because we obviously have targets for labour levels, maybe more important about the retention – enforcing their ongoing engagement and learning and development. Not just having one at the start of the project but it needs to be ongoing. It is around learning and development

JS there was an exercise where Minister Steel had roundtables, I remember talking about that stuff like how to change policy to increase women. Don't recall seeing outcome of the meeting, but if you are not drawing from those roundtables then definitely do that. You can probably look at that strategy to look at mature age, school age participation – the more complex you make it, the harder it is to operationalise. Can't be too overwhelming as that will deter people such as those from a tier 2 from being involved.

ACT Government – that's when you isolate SME which we don't want to do. Tier two would likely have the most effect

ACT Government – just looking at it here, held on the 5th December – skills industry plan round table – construction. This was the roundtable basically what they mentioned and what they heard on the day, will give good perspective.

ACT Government look I really appreciate your time, we have covered a lot so please reach out if you have more questions. We are very keen to make sure the policy we end up getting is impactful – however we get to this point is what we want to do – writing email into the chat

JS – sent the information from roundtable

ACT Government thanks Jason, please reach out if you want to chat further

ACT Government – just a couple of notes, survey and subs close in two days time – we appreciate a written response if possible.

ACT Government – we have a lot of content from this meeting, I think we have captured your views adequately.

17 May 2023

Procurement ACT

Email: CMTEDDProcurementPolicyandCapability@act.gov.au

Women in Construction Procurement Policy

The Sch 2.2(a)(xi) ; Sch 2.2(a)(xii) writes to you regarding the Discussion Paper on the development of a Women in Construction Procurement Policy.

Sch 2.2(a)(xi) supports efforts to increase diversity, equity and inclusiveness of the residential building industry workforce, and will work constructively with the ACT Government in the development of measures to support cultural change.

Improving diversity within the workforce inherently opens the door to a larger pool of individuals to meet industry's labour force needs.

Gender diversity has been shown to improve the quality of decision making and improve innovation, which combine to improve productivity. Greater workforce diversity will benefit businesses within the housing industry and higher performing businesses will benefit the housing industry and Australian economy more broadly.

The proposed policy would require that all suppliers tendering for an ACT Government construction project of \$5 million and over would be required to fulfil 'Contract based targets' based on a percentage of the total estimated labour hours or 'Organisation targets' requiring women to represent a percentage of all workforce positions, with multiple different sub-targets for various types of labour positions.

Sch 2.2(a)(xi) recognises that diversity quotas are a measure that governments may employ to influence levels of representation of groups within the workforce.

Where quotas apply to the construction industry, Sch 2.2(a)(xi) makes the following observations:

- The use of quotas should only be considered when these are a part of a comprehensive workforce development program for the target group;
- Measures that impose quotas should operate for a defined period of time, or be project based;
- Imposition of quotas should be limited to high value government projects and should only be applied to employers with large workforces;
- Quotas are an impractical policy tool when applied to small businesses;
- There should be effective mechanisms to provide assurance that the contractual terms of such schemes are being met by employers; and,
- There should be a comprehensive review of the scheme's efficacy within a defined period following their introduction, or at the end of a relevant project.

With these points in mind, Sch 2.2(a) makes the following comments with respect to the questions posed in the discussion paper.

Are the proposed targets feasible?

Sch 2.2(a) does have some concern about both the threshold of the program as well as the included targets.

In terms of the \$5 million threshold, it is recommended that this be increased while the scheme is in its infancy, to allow for evaluation of its success. This can be either reduced over time if the scheme is performing as planned and will also naturally capture more projects due to 'bracket creep' over time.

The Discussion Paper notes that the targets have been based on data concerning participation in the entire Australian construction industry and considers that there should be more evaluation of the available workforce in the ACT before enacting the policy.

It will always be more efficient and fairer to increase the stringency of such a scheme once it is proven to be working on a limited number of projects, rather than for the industry (and the businesses and individuals that it is made up of) to experience unintended negative consequences, leading to a need to 'dial it back' after the fact.

Should targets be based on headcount or labour hours?

Sch 2.2(a) considers that companies should be given a choice of pathways to deliver on this policy, so would therefore support both options, depending on the final parameters.

What practical challenges will suppliers face?

Quite simply, access to the volume of skilled labour in both their own workforces and that of their contractors.

Sch 2.2(a) is cautious of the potential for high value larger government projects to use their size to 'poach' female staff and apprentices from other businesses within the industry. This could have the impacts of both denying smaller companies the opportunity to tender for government work, and also dissuading them from employing female apprentices due to the potential for them to be offered work elsewhere.

There also is the potential for anti-competitive behaviour, where a large player could effectively deny its competition an opportunity to tender through its recruitment practices.

This concern relates back to our previous point stressing that this policy must have a parallel strategy to ensure there is an adequately trained and sizable female workforce to draw upon.

Are the sub-targets the right ones?

No additional comments.

Contract versus organisation targets?

See comments on question 2.

We look forward to engaging in further consultation. I can be reached on Sch 2.2(a)(ii) or via email Sch 2.2(a)(ii) should you wish to arrange a meeting or seek further information.

Yours sincerely

Sch 2.2(a)(xi) ; Sch 2.2(a)(xii), Sch 2.2(a)(ii)

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Women in Construction Procurement Policy. Discussion Paper

Submission of the CFMEU

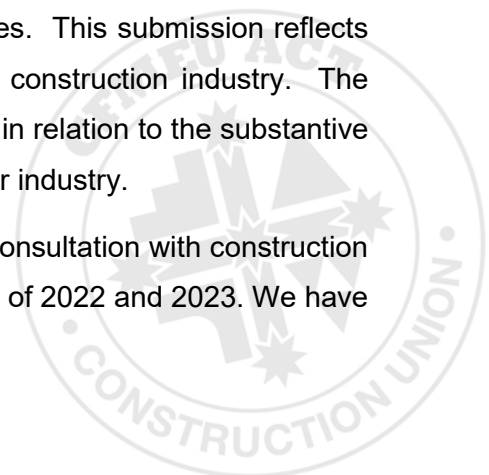
It's time to put Gender on the Tender.

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A. Introduction

The Construction, Forestry, Maritime, Mining and Energy Union, Construction and General Division, ACT Divisional Branch (CFMEU) is one of the largest trade unions operating in Canberra, representing over 2000 workers in the ACT construction industry. Our Union is dedicated to fighting for the rights of our members, for fairness and equity at work, and to ensuring health and safety on construction sites throughout the ACT. The CFMEU represents women working in construction and other male dominated industries and occupations and has consistently taken a militant and progressive stance in support of the rights of women in these industries. This submission reflects the views and experiences of women members working in the ACT construction industry. The CFMEU welcomes the opportunity to provide a voice for our members in relation to the substantive role that procurement quotas can play in improving gender equity in our industry.

This submission also reflects the outcomes of an ongoing process of consultation with construction workers of all genders which the union has engaged in over the course of 2022 and 2023. We have



conducted extended in-person research into factors limiting women's participation in the construction industry under the auspice of the Industry Co-ordination Project (ICP). As part of that project, we have asked construction workers for their views on what strategies they support to increase the number of women in the industry. Overwhelmingly construction workers support the use of procurement quotas as a method to increase women's participation in the construction industry. We have annexed our recent research report on the ICP to this submission, many aspects of that project and report are relevant to the broader questions posed by the discussion paper.

It is important to state at the outset that our support for the use of procurement quotas is on the basis that they form only one part of a co-ordinated strategy (which includes education and training, cultural change and retention strategies) to increase women's participation in the construction industry. Encouragement, education and training strategies (which essentially focus on changing women's attitudes toward the construction industry and operate to increase the supply of women to the industry) when used alone have failed to significantly increase women's participation in the construction industry. It is clear from the history of women in trades training and education programs, that strategies focussed on supply alone are not enough. In contrast, procurement quotas which are focussed on changing employer attitudes have the capacity to disrupt the status quo by altering demand for women employees. Procurement quotas alone will not create the change that is needed but they are an essential element of a combined strategy.

B. Support for Mandatory Procurement Quotas

The CFMEU supports the use of mandatory procurement quotas to increase the level of women's participation in work in the ACT construction industry. We have consistently advocated for the use of mandatory procurement quotas in ACT government construction contracts over the course of several years.

The discussion paper suggests that one option would be for targets to be an assessable evaluation criterion, rather than a mandatory contract requirement. While flexible targets and/or non-mandatory encouragement may have a role to play in industries where gender segregation is not so severe, or in more mature situations where there is already a pattern of movement toward gender equality in an industry; the current state of gender segregation in the ACT construction indicates that a mandatory approach is needed in order to provide some initial impetus toward change. We note that when considered over time there has been almost no change in the level of women's employment in the construction industry since the ABS started collecting data, in the early 1980s¹.

Since January 2019, any contractor tendering for ACT Government construction work has been required to submit a Labour Relations Training and Workplace Equity Plan (LRTWE). LRTWE asks

¹ Australian Bureau of Statistics 6291.0.55.003 - EQ06 - Employed persons by Industry group of main job (ANZSIC), Sex, State and Territory, November 1984 onwards.

tenderers to outline their plans for increasing diversity amongst their workforce. The LRTWE does not have any enforcement mechanism, nor does it require a tenderer to have in place a deliverable or measurable plan for increasing women's participation in the industry. While it has been suggested that the LRTWE plan is an alternative to a procurement quota we note that even at the time of enactment, the government members of the Standing Committee on Economic Development and Tourism, had recommended that in fact the LRTWE should "*establish mandatory quotas for employment of Aboriginal and Torres Strait Islander workers, women, people with a disability and apprentices/trainees*". Although this recommendation was not taken up by the Assembly, it is relevant to assess the effectiveness of LRTWE plans as a form of non-mandatory encouragement for women's participation in the construction industry. When viewed in that light it is arguable that the ACT has had in place a regime of non-mandatory encouragement since 2019, which has demonstrated the lack of efficacy of non-mandatory measures. It is clear that encouragement alone will not facilitate change.

Assessment of a tenderer's capacity to meet a procurement quota should be an essential step in the Ethical Treatment of Workers evaluation, that is it should occur prior to any commercial or technical evaluation of the tender. Reasonably this may include an assessment of the current level of women's employment within the tenderer's organisation, however this assessment is not a substitute for the requirement to meet the project-based quota during the life of the contract.

The current LRTWE process, if it is used for the purpose of demonstrating capacity to meet the procurement quota, needs revision to include audit and enforcement mechanisms. In the context of a mandatory quota a LRTWE should not merely be about "*strategies and processes... to support diversity*" but must set out deliverable and measurable plans to be implemented by the tenderer during the tender to meet the quota and increase workforce participation by women. We note that in the Victorian policy the equivalent plans are called Gender Equality Action Plans (GEAPs) and that under that policy the successful tenderer's GEAP becomes part of the procurement contract.

Contractors tendering for ACT government work should be required to demonstrate, as part of the LRTWE plan process how they will meet the procurement quota during the life of the contract. It is essential for the efficacy of the policy that in producing these plans contractors be required to set out actionable, specific, measurable and enforceable plans to improve the number of women engaged on their projects. The plan to meet the quota, and the steps within the plan, should form part of the successful tenderer's contract. Inclusion of the plan in the contract will, of itself, encourage drafting in a manner which is susceptible to measurement and enforcement to the extent that normal contractual drafting protocols apply.

The Union is aware that the current practice in the diversity section of the LRTWE is often that employers make non-specific statements about activities with a general focus on women. For example, in one recent LRTWE seen by the Union, in answer to the question about strategies to

support the employment of women, the supplier referred to: a podcast interview by a woman engineering employee, an online event attended by a woman athlete, an international women's day lunch, and a range of other "initiatives" which merely reflected minimum compliance with anti-discrimination legislation. These types of generalised statements should not be accepted as evidence of compliance, or sufficient planning to meet a gender equity procurement target.

As the application of the policy matures, it may be that over time contractors, who have demonstrated capacity to meet the quota, and have met the quota on previous projects, could also be encouraged to set aspirational targets that exceed the minimum requirements in the quota. This is particularly important, given the initial quotas are likely to be set at lower/introductory levels. Meeting the quota should not be a once off activity, but part of a planned process of continuous improvement.

While we say that complying with the quota should be mandatory under contract, we do not object to an introductory or transitional stage or stages during which time a facilitative approach to managing non-compliance with the quota with a focus on education and awareness could be taken. We note that the Victorian Building Equity Policy was introduced with a number of initial transitional stages.

C. Labour Hours or Headcount

The discussion paper asks if targets should be based on headcount or labour hours. We submit that labour hours should be used as the relevant measure. We say that there are a number of risks associated with headcount including the risk that women may be hired (and counted) but will be engaged in casualised, insecure and non-ongoing roles. If the policy creates a situation where the goal is merely to engage women and have them counted in a book audit, then there is no incentive to ensure that the women are engaged in an ongoing position or are provided with training opportunities.

In the construction industry - the jobs which are more likely to be casualised (such as traffic control) are also the same jobs that are more likely to employ women. ABS data indicates that 88% of male workers in construction work full-time hours; by contrast, only 68% of women work full-time hours. The same data indicates that 11% of men work part-time hours, and 31% of women work part time hours. In the construction industry, having regard to usual patterns of engagement, part-time work is a proxy for casual work. That is – in the construction industry - women are about three times more likely to be casual than men. The policy should not create a situation which exacerbates this existing vulnerability.

In addition, headcount targets are not well adapted to the high level of labour mobility which is a feature of the construction industry. Unlike a fixed workplace, a construction site is made up of a constantly changing roster of employees. At different stages of a project different trades are required, and they are engaged through different subcontractors. There is little point using a

headcount method given that any individual head counted may only be on site for part of the duration of the project. In contrast the labour hours method ensures that a substantive proportion of the work, counted across the duration of the project, is performed by women.

D. Apprenticeship Targets

The Union supports the creation of apprenticeship targets for women apprentices.

We are concerned that the mechanism proposed in the discussion paper (a target of 20% of all apprentice hours per project) is unlikely to be successful. Unless the contract also specifies a number of hours for apprentices generally, a target of 20% of those hours will not be meaningful. The Union's experience is that without specific client guidance or requirements it is common for construction projects to be completed without any apprentices being engaged. If there are no apprentices engaged on the project allocating 20% of the total apprentice hours for the project to women will not result in an increase in women's apprenticeship hours.

It is clear that the process of setting targets for women's apprenticeship hours on projects will also involve a larger discussion about apprenticeship targets generally. The Union is not aware that apprenticeship ratios or quotas are currently mandated as part of the procurement process. We note that the current Labour Relations Training and Workplace Equity Plan process requires that tenderers for government construction work describe the training opportunities their business provides, including apprenticeships; however, this does not amount to an apprenticeship target. We support the application of apprenticeship quotas to ACT government construction procurement.

E. Contract or Organisational Targets

The Union is concerned by the model proposed which allows suppliers to choose between contract targets or organisational targets. This seems to us to be unnecessarily complex and rather than creating flexibility, more likely to generate confusion. In addition, it is our view that organisational targets are not well adapted to the construction industry, and unlikely to result in significant change in the size of the cohort of women employed in the industry.

A set of appropriately adapted contract-based targets will in fact be more flexible than organisational targets. A contract-based target will not require any individual contractor to meet the target level wholly within their own workforce but will allow a principal contractor to meet a target across a workforce made up of many subcontractors.

The Union submits that contract-based targets are not only a more flexible approach but also better adapted to the construction industry. The concept of organisational targets does not reflect the reality of employment arrangements in the construction industry. This is particularly the case in the context of tender arrangements where the supplier or principal contractor is the only party who could be required by the contract to meet an organisational target.

Industry practice is that the principal contractor directly employs only a very small proportion of the labour performed in relation to that project. For example, on the Margret Hendry School construction project the principal contractor directly employed only **two construction workers**, but more than 800 construction workers, labourers and other specialised trade and non-trade workers employed by subcontractors were inducted and performed work on the site. This model is standard in the construction industry. While some very large projects may have a larger number of directly employed construction workers, it is always the case that the vast majority of labour hours on a construction site will be performed by the employees of subcontractors. For a quota to have significant impact, it is clear that it needs to apply on a project basis, not only to the workers directly engaged in the principal contractor's organisation.

In addition, construction workers who are directly engaged by a principal contractor tend to be engaged on a per project basis rather than with an expectation of ongoing work beyond the project. It is possible that organisational targets may have greater utility in relation to professional, administrative and technical staff engaged by principal contractors, who tend to be part of the ongoing staff of the principal contractor. However, the Union rejects the application of organisational targets to trade and non-trade occupations.

Finally, we note that particularly in the case of large national/multinational contractors there is a risk that they may attempt to meet organisational targets by reference to women employed other than in the Canberra region. We are aware, for example, of contractors who have lodged LRWTE plans under the current scheme referring to numbers of women engaged in their organisation, without noting that in fact those women are employed in other states, and that none of them work regularly in the ACT. Similarly, contractors may refer in their LRWTE to activities and diversity events occurring in other states implying that those actions will lead to increased diversity in the ACT, when in fact this is unlikely to occur. The capacity for this type of conduct to undermine the application of an organisational target further influences our preference for project or contract based quotas, insofar as there can be no doubt that the women being engaged to meet a contract based quota will be performing work in the ACT.

F. Setting the Quota Level

Setting the level of the procurement target will clearly be essential to the success of any quota scheme. Obviously, the target cannot be too high, or it will reduce the pool of available suppliers and hinder the Territory Government's capacity to engage in efficient procurement. However, the alternative position, where targets are too low to make significant change, will result in a failure to substantively increase the participation of women in the industry.

At the time of writing the most current data available is the March 2023 published ABS Detailed Labour Force survey data. Analysis of the construction industry employment by sex and ANZSCO

categorisation shows us that the industry when considered as a whole, is 87% male and 13% female. However, this is not consistent across the industry.² If we consider by occupations as classified by ANZSCO we see that managers and professional occupations have much higher levels of women's participation.

ANZSCO category	Male % of ANZSCO category	Female % of ANZSCO category
Managers	87.3	12.7
Professionals	77.2	22.8
Clerical and administrative	18.1	81.9
Technical or Trades qualified	96.1	3.9
Operators (i.e. plant and mechanical operators)	96.8	3.2
Labourers	96.2	3.8

As a representative of construction workers, the Union's main concern is with construction workers in the Technical/Trade, Operator and Labourer categories (as opposed to the professional and managerial categories). The data above shows that within those occupational categories women make up between 3 and 4% of each group. However, this does not articulate the actual picture of what it is like to be a woman working in the industry, insofar as women are working in the industry as a whole (and not within their ANZSCO category). We see a significantly lower level of women as against the population of the industry as a whole. From that perspective we see that women engaged in construction work other than managers and professionals make up only 2.7% of the industry. In the categories of technical and trade workers, operators, and labourers the percentages break down as follows:

	As a % of total employment in the industry
male tech/trade	47.4
female tech/trade	1.9
male operators	7.1

² Australian Bureau of Statistics 6291.0.55.001 - EQ09 - Employed persons by Industry division (ANZSIC) and Occupation major group (ANZSCO) of main job and Sex, August 1986 onwards

	As a % of total employment in the industry
female operators	0.2
male labourers	15.4
female labourers	0.6

Noting the categories proposed in the discussion paper and the content of the ANZSCO categories we suggest that the tech/trade ANZSCO category broadly correlates with the proposed Award covered tradesperson category, while the Award covered non-trade category appears to broadly correlate with ANZSCO operator and labourer categories.

	As a % of total employment in the industry
male non trade (operators and labourers)	22.5
female non trade (operators and labourers)	0.8

That is: women in trade occupations make up almost 2% of the construction industry, and women in non-trade occupations are just below 1% of the industry.

To put this national data into perspective the Union has conducted a range of survey work with local construction industry employers and construction workers. Women construction workers report to us that they are often the only woman engaged by their employer and may at times be the only woman on their site. In March of 2023 the Union conducted telephone surveys of employers in the ACT construction industry. Of the employers who participated in our survey 14% of the workers they employed were women. However, the percentage of those women who were construction workers was only 1.7% (the majority being engaged in administrative roles).

Similarly, the Union has conducted an analysis of data provided to us during the enterprise bargaining process (where the employer is obliged to make a statutory declaration about workforce composition). From of that data we learned that of the employers who have made an agreement in the relevant period, only 33% employ any women at all. The majority of those employers have declared only one woman in their EBA covered workforce, only 7% employed more than one woman.

Women members tell the union that the isolation of being the only woman at work is a significant factor in many women's decisions in relation to whether to remain in the industry. In addition, women's isolation in the industry contributes negatively to a number of safety issues and cultural issues in the industry including attitudes held by male construction workers about whether women

should work in the industry. It is clear to us that it should be a goal of any procurement policy to lift women's participation levels to a point where any particular woman's employment is not unusual or unique on a site. It is only by building a visible cohort of women, that this kind of cultural and attitudinal change will be affected.

Taking those matters into account, and in addition, noting our preference for project-based targets rather than organisational, we say that the approach to setting targets should be closely modelled on the Victorian Building Equity Policy targets as follows:

- trade covered labour : women are required to perform at least 3% of the contract works' total estimated labour hours for each trade position. We note that this is a relatively small increase (against the 2% noted above). However taking into account the more time consuming training requirements for trades people this is an appropriate introductory target, especially when considered in conjunction with the apprenticeship targets for women.
- non-trade Construction Award covered labour: women are required to perform at least 7% of the contract works' total estimated labour hours for each non-trade Construction Award covered labour position. We note that this would involve a more significant increase from the 1% noted above. However, for similar reasons, and noting that workplace-based training is often available for these roles, we do not consider that it is unachievable.
- management/supervisory and specialist labour (staff): women are required to perform at least 35% of the contract works' total estimated labour hours for each staff position.

G. Review of Quota Levels

We note that the discussion paper suggests that targets will be reviewed on an annual basis.

While the Union does not object to the suggestion that targets be reviewed, it is not clear to us that an annual review is necessary. Having regard to tender and construction timeframes, it is unlikely that any clear outcomes from the application of quotas will arise within the first twelve months, and it may be that a 24 month review timeframe is more appropriate.

If there is to be a review of the level at which the targets are set this should be done in conjunction with stakeholders like the Union. The review should not be a closed-door review conducted within government.

Once the quota is set there should not be any capacity for downward adjustment as result of a review. However, it is reasonable to expect that as the quota is achieved, subsequent reviews could legitimately result in increases to the quota toward equality.

H. Dealing with Objections to Procurement Quotas

We note that in the process of our advocacy in support of procurement quotas for women in the construction industry we have encountered some opposition to the use of quotas in the following forms:

- a. That use of targets will lead to employers “competing” over the extant small pool of women construction workers. Instead of targets the focus of government should be on encouraging more women to work in the industry.
- b. That project specific targets will lead to women being moved from project to project to meet a target without increasing the overall level of women’s participation.
- c. That the aim of government and business should be to attract the best workers to the construction industry, regardless of gender and/or that procurement targets will limit the capacity of the industry to hire on merit the best worker for the job.

We will deal with each of these objections in turn.

- a. This form of objection to targets and quotas and the corresponding suggestion that government should just encourage more women to work in the industry assumes that the current low level of women’s participation is a supply side issue (insofar as the pool of women interested in work in the industry can be characterised as supply). This oversimplifies the problem; it is clear that there are elements of both supply and demand affecting women’s employment in the industry. While government can and should take steps to encourage women to work in construction, it is clear that unless there is significantly increased “demand” among employers, programs aimed and encouraging women into the industry alone will not resolve the issue. In addition, given that the current situation is so far from the point that employers could be said to be “competing” to hire women, it is clear that strategies aimed at increasing demand among employers have a significant role to play.
- b. In relation to the suggestion that suppliers might “game” project specific targets by moving the same women from project to project, it is clear that to the extent that this may be a risk, it is one that can be addressed by scheme design and enforcement. For example, while a headcount-based target might be able to be gamed in this manner, a target based on labour hours will not. Similarly in a scheme which is enforced by regular reporting obligations and/or audits a supplier will not be able to comply with their obligations by moving the same woman from project to project.
- c. In relation to the capacity of suppliers to attract the “best” workers regardless of gender being disrupted by the imposition of gender-based hiring targets, we say that this would only be of concern if it were clear that current hiring practice in the industry was based soundly in merit-based principles. In fact, research has shown that women and men are recruited to the

construction industry through different processes and channels, with women more likely to be recruited through formal processes (i.e., formal advertisements, applications and interviews), while men were more likely to be recruited through informal networks including their family and family friends, schooling, sporting and industry connection³. This academic research is also reflected in the results of the Union's own anecdotal research and survey work conducted throughout the Industry Co-Ordination Project (ICP). More than 600 ACT based construction workers participated in the ICP and of that group male construction workers uniformly report obtaining their jobs through informal networks, and women through formal hiring processes.

I. Other Matters Arising from the Discussion Paper

a. Threshold

The Union does not object to the \$5M threshold for the application of the policy. We note that the threshold of \$5M in relation to construction projects has been applied to various consultation obligations under s.50A of the Work Health and Safety Act 2011. We understand that in that case the \$5M threshold was chosen in that case as a result of an assessment of the level of sophistication in contractors likely to be performing work of that value. We submit that similar factors apply here. A contractor tendering for work valued at \$5M or more can reasonably be expected to implement a requirement to ensure the engagement of women at a particular level over the course of the entire contract, without suffering significant administrative detriment.

b. Types of Construction Work

We say that the policy should apply to all types of construction work that meet the monetary threshold. While there are some contractors who specialise in particular types of construction e.g., civil contracting; many contractors engaging in ACT government construction work will operate across the range of the industry. In that circumstance there would be little value in excluding some types of projects based on the type of work.

c. Commencement date

We note that the discussion paper proposes a commencement date of 1 July 2024, provided the policy is announced by December 2023. While a longer lead time might allow tenderers

³ Galea N, Powell A, Loosemore M, Chappell L. *The gendered dimensions of informal institutions in the Australian construction industry*. Gender Work Organ. 2020;27:12141231 <https://doi.org/10.1111/gwao.12458>GALEAET AL.1231. *Rigid, Narrow and Informal. Shifting the Gender Imbalance in Construction: Building Industry Specific Responses* Natalie Galea March 2017 NAWIC IWD Scholarship Report 2017
Galea, N., Powell, A., Loosemore, M. and Chappell, L. (2018) *Demolishing Gender Structures*. UNSW: Sydney.

more opportunity to develop strategies, we suggest that if appropriate transitional provisions are used this factor should not delay the implementation of the policy.

d. Specific Supports

As we note above procurement quotas are not likely to resolve the issue of gender segregation in the construction industry in isolation. Government will need to take substantial steps to support the engagement of women in the construction industry through:

- Encouragement for women across the breadth of roles in the construction industry. We note that currently women tend to be clustered in certain occupations in the industry. In order to meet any meaningful target it will be necessary for employers to engage them in the wide range of roles outside of these clusters.
- Promotion of educational opportunities in the industry to women
- Training subsidies for women and/or for employers of women in the industry
- Promotion of other activities directed at retention including cultural change around the role of women in the construction industry, gender equity training, health and safety representative gendered violence awareness training; and training for employers and managers in ensuring safe and respectful workplaces for women. It is clear that retention of women in the industry is a significant issue, which will need to be addressed if other strategies directed at introducing women to the industry are to have long term success.

J. Conclusions

The Union welcomes the opportunity to have input into the design of a procurement policy to increase women's participation in the ACT construction industry. We encourage the ACT Government to adopt a policy closely based on the Victorian BEP, for the reasons we have set out in this submission. We say that the guiding principle in policy design should be the measurability and enforceability of any quota or target. It is clear that years of light touch regulation in the form of encouragement and education strategies have not resulted in gender equity for the construction industry. The Victorian BEP states that "*The BEP seeks to disrupt the existing gender stereotypes, norms and roles in the construction sector.*" we say that this too should be the goal of any policy established for the ACT.

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AGAINST GENDERED VIOLENCE
ICP REPORT
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Acknowledgement of Country

The CFMEU ACT Branch wishes to acknowledge the traditional custodians of the land on which we work and live, the Ngunnawal people. We wish to acknowledge and respect their continuing culture and the contribution they make to the life of this city and our Union. We pay our respects to their Elders past and present. We extend that respect to all Aboriginal and Torres Strait Islander peoples today. This land was stolen and never ceded. This always was and always will be Aboriginal land.

Acknowledgements and Thanks

The Union acknowledges the assistance of all gender equity workshop participants and survey respondents in the ICP project, both workers and their employers. Without their genuine good faith contributions, and without their trust and honesty we would not be in a position to make these recommendations. In particular we want to thank those construction workers who experienced or witnessed gendered violence at work and who allowed us to share their stories.

We also send our grateful thanks to the staff of the Victoria Trades Hall Council for their generous assistance, time and resources which were foundational in the development of our workshop.

Finally, we thank the YWCA of Canberra, who have extensive experience in delivering active bystander training, and in particular Dr Tulika Saxena for their guidance and expertise in structuring and delivering our workshop.



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TRADES AND OCCUPATIONS PARTICIPATING IN THE INDUSTRY CO-ORDINATION PROJECT

- Administrator
- Apprentice Carpenter
- Apprentice Plumber
- Bricklayer
- Carpenter
- Caulker
- Civil Construction Operator
- Civil Engineer
- Cleaner
- Construction Manager
- Construction Worker
- Covid Marshall
- Crane Operator
- Dogman
- Electrical Apprentice
- Electrical Supervisor
- Electrician
- Engineer
- Form worker
- Formwork Carpenter
- Traffic Controller
- Graduate Trainee
- Health & Safety Officer
- Installer
- Labourer
- Leading Hand
- OHS Safety Officer
- Operator
- Plasterer
- Plumber
- Post Tension
- Project Engineer
- Rigger
- Safety Representative
- Scaffolder
- Site Security Guard
- Sheet Metal Worker
- Site Engineer
- Site Manager
- Steelfixer
- Supervisor

THE INDUSTRY CO-ORDINATION PROJECT

In 2021 the Union was selected to deliver the Industry Co-ordination Project (ICP). The goals of the ICP were to coordinate with industry, key stakeholders, and across the ACT Government to support safe and inclusive workplaces in the construction industry, and to increase women's participation and retention in the industry. The Union approached these goals treating the ICP as a research project for the purpose of informing further strategies to support safe inclusive workplaces and increase women's participation in the construction industry. Key to our research was the process of developing and delivering a workshop for construction workers which is intended to educate in relation to gender equity and respectful relationships at work. Participants in the workshop were a source of informed feedback for the research component of the project in relation to issues affecting women in construction through means of structured surveys and gathering of anecdotal responses from both women and men participants. The Union also conducted survey work with other industry participants including employers in relation to their views and perceptions of the role of women in the construction industry.

The results of our research and engagement are set out in this report together with proposed communications materials and recommendations for future work in this area.

The process of conducting the ICP was initially delayed by factors related to the COVID 19 pandemic, and subsequently by the departure of the employee engaged as Industry Co-Ordination Officer and the need to re-engage an employee in that role. While this delay was unfortunate it has allowed the project to develop over time and to take into account recent legislative change which will have significant impact on the manner in which employers treat issues of gender equity and gendered violence at work.







SAFE AND RESPECTFUL WORKPLACES

**A GENDERED VIOLENCE WORKSHOP
FOR THE CONSTRUCTION INDUSTRY**



Together with other organisations active in the fields of gender equity and employee education, (notably the YWCA and the VTHC) the CFMEU developed a workshop on gender equity for workers in the Construction Industry. This is the first construction industry specific program intended to address gender equity and gendered violence by encouraging active bystander behaviour developed in Australia. Importantly, from the Union's perspective the course was developed in direct response to concerns expressed by, and consultation with, women construction workers.

When asked about sexual harassment and discrimination at work women members said that they were tired of being told that sexism and harassment are inevitable in the industry; they wanted the Union to take proactive action to put a stop to it. While the Union's approach to these issues was historically reactive, representing individual women members who had experienced gendered violence at work, the reactive approach did little to change the overall culture of the industry, and there was little pro-active or preventative work in this space. The Union was guided by women members to develop the gender equity workshop. When asked what the most effective way to combat gendered violence in the workplace was, women told the Union that it was when bystanders took action and spoke up.

As with other workplace health and safety problems, women construction workers told the Union that there is no substitute for being supported by other workers on site who are prepared to speak out, support each other and act. In this respect the anecdotal reporting from members was also reflected in formal research in this area which recognises active bystander behaviour as a critical tool for cultural change.¹ The active bystander model was, moreover, considered likely to be highly relatable to construction workers as a result of pre-existing safety campaigns run by the Union which focussed on speaking up.²

The gender equity workshop was designed to give all construction workers the tools to recognise gendered violence, to recognise the causes and consequences of gendered violence (and its roots in gender inequity) and to intervene using contemporary gender equity research and workers' real-life experiences.

¹ Holdsworth, S., Turner, M., Scott-Young, C.M., & Sandri, K. (2020). Women in Construction: Exploring the Barriers and Supportive Enablers of Wellbeing in the Workplace. RMIT University, Melbourne. VicHealth and Behavioural Insights Team 2019, Take Action: Empowering bystanders to act on sexist and sexually harassing behaviours, Victorian Health Promotion Foundation, Melbourne.

² See for example the "Stand up, Speak out, Come Home" campaign.

<https://cq.cfmeu.org/news/stand-speak-out-come-home-2> <https://www.youtube.com/watch?v=dPtPJPmJnDc>



A GENDERED VIOLENCE WORKSHOP FOR THE CONSTRUCTION INDUSTRY

Unlike other forms of active bystander training intended to be delivered in gender diverse groups the workshop is not reliant upon women participants being able to relate their own experiences of gendered violence in order to elicit understanding from the larger group of trainees. This was a conscious choice in course design which reflects the gender segregated nature of the construction industry. To be effective in the construction industry the workshop must be able to delivered in environments in which there may be few or no women present. In order to overcome this limit real life case studies are used. These case studies are based on incidents reported to the Union (most in the ACT, some drawn from other states). In addition, video material produced by the Victorian Trades Hall Council³, the Commonwealth⁴, Our Watch⁵, Jesuit Social Services⁶, Respect Victoria⁷ and the Knox, Maroondah and Yarra Ranges Councils⁸ is used to illustrate the causes and consequences of domestic violence

3 https://www.weareunion.org.au/srwp_resources

4 <https://www.respect.gov.au/>

5 <https://www.doingnothingdoesharm.org.au/>

6 <https://jss.org.au/programs/the-mens-project/the-mens-project-research/>

7 <https://www.respectvictoria.vic.gov.au/campaigns/respect-women-call-it-out-public-transport>

8 <https://www.youtube.com/playlist?list=PLWvR6eTY2073gfPKKA-DPdVvOEbR29SWN>

CASE STUDY: LUCY

Lucy is a civil plant operator working on a large civil site in Canberra. She is the only woman in her particular work area. At the toolbox meeting for her work area one morning the foreman says to Lucy in front of everybody:

**“YOU GO AND WAIT IN
THE TRUCK LOVE WHILE
I FINISH UP WITH
THE BOYS”.**

Lucy feels uncomfortable and goes and waits in the truck. Later another worker tells her that the foreman just told a bunch of dirty jokes after she left.

Lucy complained to the Union that she felt isolated and treated differently because of this incident, like she was not the same as all the other workers. Soon after she moved to a different workplace.

THE WORKSHOP FOLLOWS THE WORK HEALTH AND SAFETY HAZARD IDENTIFICATION, RISK ASSESSMENT AND CONTROL MEASURE MODEL:

1. Hazard Identification

- how gendered violence is a WHS issue
- what gendered violence is
- what this discriminatory behaviour looks like in the workplace

2. Risk Assessment

- the injuries, impacts and health risks of gendered violence
- what the drivers of gendered violence are

3. Control Measures

- what your obligation is as a worker to prevent and address this
- workplace skills to be able to identify and prevent gendered violence

HAZARD IDENTIFICATION

The first section of the course enables participants to identify what gendered violence looks like in the workplace. This section draws on current research to define gendered violence and case studies are used to provide further context and detail, participants are asked to discuss the behaviours occurring in the case studies and the impacts of those behaviours.

Participants engage with case studies and make other observations about the scenarios in a group discussion. Often participants will tell their own stories of gendered violence they have experienced or witnessed at work in a group setting.

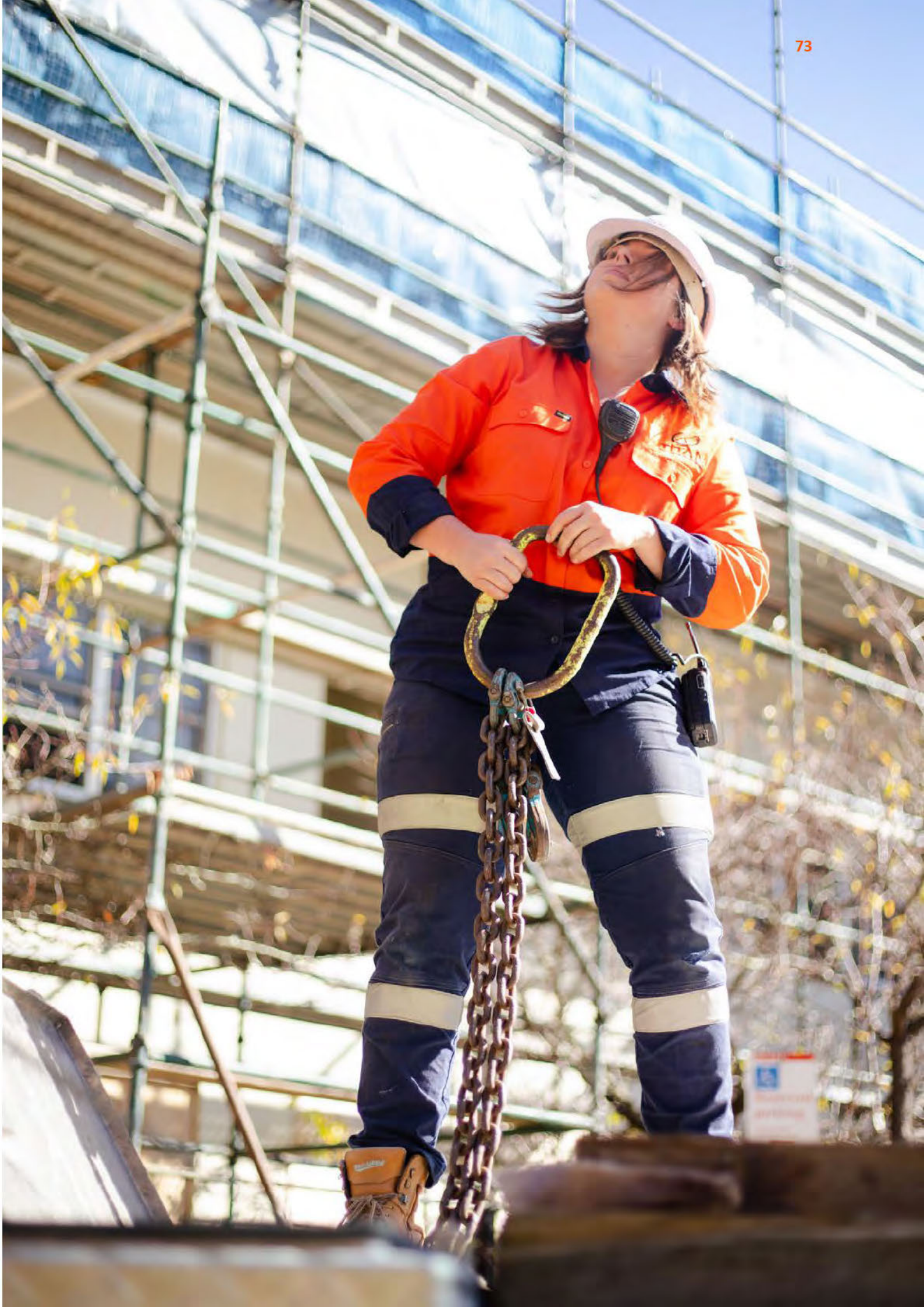
RISK ASSESSMENT

The risk assessment section intends to have course participants understand the psychological, physical and financial impacts of gendered violence and invites participants of the course to think about what could happen if someone is exposed to the hazard and how likely it is to happen in the construction industry.

The second stage of a risk assessment involves considering the likelihood of a particular hazard occurring in the workplace. Given the construction industry's severe gender imbalance, noting that gender-based violence is both a cause of and consequence of gender inequality⁹, participants learn the industry presents a high-risk setting for gendered violence

Further research is discussed so that participants can fully understand gendered violence and assess the risk of it occurring in their workplace. Through group discussion, which can often be vigorous participants identify the construction industry as a high-risk setting for gendered violence.

⁹ Our Watch - Prevention in Action, The link between gender inequality and violence against women, <https://action.ourwatch.org.au/what-is-prevention/the-link-between-gender-inequality-and-violence-against-women/#the-link-between-gender-inequality-and-violence>





CONTROL MEASURES

The final part of the workshop teaches participants about the control measures they can put in place to address the hazard of gendered violence. Given gendered violence is recognised as a workplace hazard that can cause physical and psychological injury (as is workplace bullying and harassment) the WHS Act is identified as the relevant source of statutory obligation. Under the WHS Act, workers and employers have shared obligations in keeping a workplace safe, particularly they both must take reasonable steps to prevent injury to others caused by gendered violence.

The key takeaway from the section is “doing nothing does harm”. Participants are educated on possible bystander behaviours. Once participants are familiar with the actions, they apply them to the case studies, this practical exercise allows participants to practice bystander actions in real life scenarios.

The course identifies other control measures against gendered violence in the workplace, these include other forms of legislation such as the Sex Discrimination Act 1984 (Cth), Fair Work Legislation Amendment (Secure Jobs, Better Pay) Act 2022, and the WHS Act 2022 (ACT) and other mechanisms such as workplace policies, appropriate reporting lines and the role of workplace Health and Safety Representatives.

WORKER STORIES

“A plant operator in {redacted} wore shorts to work and a group of male employees took photos and shared them on a social media platform. The plant operator thought it was not appropriate but didn’t care. Rumours began to circulate that she had put in a complaint and she proactively approached management and told them that she did not want to pursue it. Management investigated the matter and discovered the main instigator was the son of the owner of the company who was set to take over the company. As a result, the lady was moved to a different crew and now has an additional one-hour commute to work every day.”

“An apprentice was stereotyped as gay based on his appearance and was excluded from discussions with other apprentices. Despite not being gay his colleagues found out his close friend was bisexual, and they caught up regularly socially. This cemented the idea that he was gay and made things really difficult.”

When we asked a female traffic controller what would happen if she told her supervisor about an incident of gendered violence she replied: “Nothing, he would probably laugh as well.”

“A woman said she had avoided the industry because she was aware that women in construction are not treated well but her experiences with her current employer have been overall very positive. She said that a co-worker had said to her that if she was younger he would ask her out. She said that she would have preferred he didn’t say that but it didn’t bother her too much.”

A male traffic controller arrived on the job and was asked “what are you doing here? We hire hot girls to come out here ... you’re not very good-looking”.

A male participant said they were on the verge of leaving the industry, he said he identified as bisexual but would never feel comfortable being out at work, and he said he couldn’t tolerate the constant homophobic comments in everyday conversations on site.



WORKER RESPONSES



WHO HAS CONTRIBUTED TO THE PROJECT?

Over the course of the ICP the CFMEU has run 47 Safe and Respectful Workplaces workshops.

549 workers attended the workshop.

167 employees from 75 different companies have attended the public course at the CFMEU training room in Dickson.

75 Apprentices and Trainees have attended

At the Multiplex Canberra Hospital Extension site 382 workers from 41 different companies have attended the workshop.

The Union has run 27 workshops at the Multiplex Hospital Extension Construction site.

The CFMEU and Multiplex have an agreement that all employees of Multiplex and of subcontractors on the site will attend the training.

This arrangement means that the Multiplex site is a unique source of data for the ICP as it represents a workplace where all workers have been part of the workshop. This is unusual having regard to the nature of work in the construction industry where employees generally perform work in a workplace where employees of many entities are engaged side by side via subcontractual relationships. This pattern of subcontracted labour supply means that employees working together may be employed by different companies and subject to differing expectations and training from their differing employers.

The group of workshop participants represents a diverse cross section of construction workers. This included employees from large employers (including subcontractors, principal contractors and multi nationals, from medium sized business, and employees from small business.

This diversity means that the workshop is a unique source of data for the Industry Co-Ordination Project survey and reporting work. In addition, having regard to the size of the ACT construction industry the group of workshop participants is a significant sample of the workforce.

”

AFTER 31 YEARS IN THE CONSTRUCTION INDUSTRY, IT WAS GOOD TO HAVE A WORKSHOP TO DISCUSS GENDER EQUITY ISSUES. THE WORKSHOP BROUGHT BACK MEMORIES OF THE PAST, AND WHY EQUITY ISSUES NEED TO BE FURTHER ADDRESSED

”

FEEDBACK
FROM
PARTICIPANTS
AT MULTIPLEX

"Was a good experience at the gender equity workshop. It would be good for more women to get the chance to work on-site."

"It was a good workshop. I think managers and employers should do the workshop too"

"I enjoyed the Gender Equity Workshop. The workshop was very educational. I think it should be offered in NSW and across all states in the construction industry, the ACT is ahead of the game with this"

"The workshop helped us with gaining knowledge and insights, into how fellow workers of all genders should relate at the workplace."

All participants were surveyed directly after the workshop to gain an understanding of their prior knowledge, experiences of gendered violence in the workplace and other thoughts. While only 31% of participants said they had no prior knowledge of the effects of gendered violence and gender inequity on women and others expressed varying levels of understanding:

“Construction is highly gendered and gender impacts dynamics onsite.”

“I know it is a big issue and has prevented higher rates of female construction workers.”

“I had a general awareness of the issues, but it was good to have a practical guide.”

“It affected women a lot and did not help with retaining women in the workforce.”

“I knew it happened but wasn’t aware of lasting negative psychological effects.”

“As a female, I definitely know how it feels and can be very uncomfortable some days and am grateful to have this training.”

Sixty percent of workers said they had observed gendered violence at work. The behaviours participants said they had most frequently observed or experienced were inappropriate comments, followed by lewd jokes, undermining and sexual harassment. Participants had observed or experienced:

“Sexual jokes, sexual harassment, men not taking no for an answer, work being taken off me & given to a male.”

“I have had my hair pulled by a construction manager. I told him to f**k off.”

“Yes, my tradesman thought it was okay to ask how many people I’ve slept with, he also said I need to go to the ‘f**king gym’ if I wanted this job. He also said if I was so desperate for overtime hours, I could work at the knock shop.”

“Hey sexy”, “Morning princess”, my bum has been grabbed, “Do you know what you’re doing?”, guys have encouraged/hinted at sex.

“I have experienced discrimination on several occasions for being a woman or having a language other than English.”

POST WORKSHOP SURVEY





THE STATS

The workshop relies on the research conducted by Our Watch which explains the incidence of gendered violence by reference to four “Drivers”¹⁰ or causes of gendered violence. Participants were surveyed for their views on the rates at which drivers of gendered violence were most present in the industry.

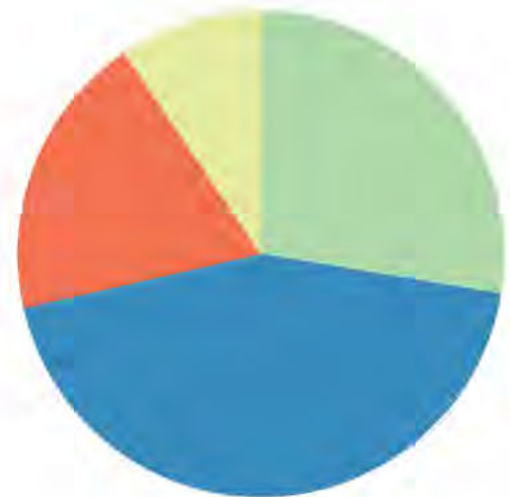
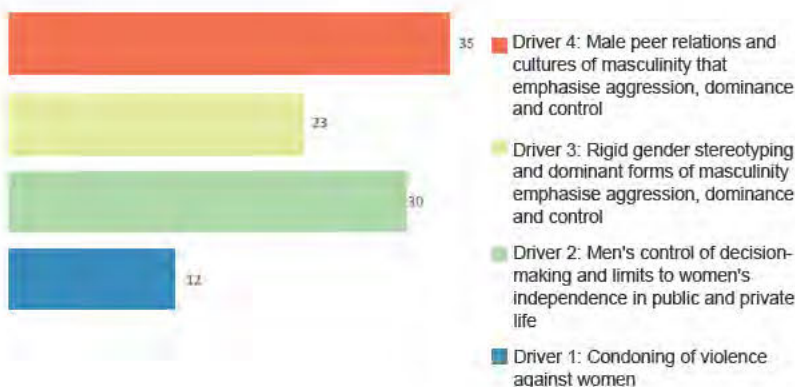
12% of participants felt that Driver 1: Condoning of violence against women was present in the industry.

- 30% of participants felt that Driver 2: Men’s control of decision-making and limits to women’s independence in public and private life was present in the industry

- 23% felt that Driver 3: Rigid gender stereotyping and dominant forms of masculinity was present in the industry.

- 35% felt that Driver 4: Male peer relations and cultures of masculinity that emphasise aggression, dominance and control was present in the industry.

Worker views on the Incidence of the Drivers of Gendered Violence: Is the Driver Present in the Industry



1 driver present 2 driver present 3 driver present 4 driver present

96% of participants identified one or more drivers were present in their workplace, and 20% identified that all four drivers were present; 4% of participants didn't believe any of the drivers were present in the industry.

Several workshop participants told us they have noticed particular behaviours in the industry for years and felt very uncomfortable with them, but that as a result of doing the workshop they understood those behaviours to be gendered violence, and a workplace hazard. They told us they have wanted an official approach and are relieved to see this happening with a workshop such as this in the industry. This process of identifying the causes or drivers of gendered violence also allowed these workers to apply a conventional risk assessment response to their approach to gendered violence.

¹⁰ Our Watch. (2021). Change the story: A shared framework for the primary prevention of violence against women in Australia (2nd ed.). Melbourne, Australia: Our Watch.



Participants were surveyed approximately three months after attending the workshop, to gauge whether participants were more aware of gendered violence occurring in the workplace and whether they had put the skills learned in the workshop into practice.

- 95% of respondents said their recent participation in the Safe and Respectful Workplaces workshop made them more aware of gendered violence at work.
- 96% said they were more likely to intervene if they witnessed gendered violence at work.
- 33% said they had witnessed gendered violence at work since they had completed the workshop.

Of those who had witnessed gendered violence since the workshop, they reported witnessing the following behaviours:

- 44% of the incidents involved sexual innuendos/jokes.
- 19% of the incidents involved sexual harassment.
- 21% involved exclusion (targets being ignored by other workers).
- 16% involved targets being undermined and treated unequally.

Of those who witnessed gendered violence, 68% of them said they responded by taking bystander action. Respondents overwhelmingly said their bystander action had the effect of supporting the target and changing the behaviour of the perpetrator. Importantly respondents also said their action was backed up by other bystanders, indicative of a culture favouring speaking up.

Finally, participants were asked to suggest what other steps could be taken to address gender inequity at work. Participants recommended that:

- The Safe and Respectful Workplaces workshop being rolled out as part of induction procedures across all construction projects in the ACT and
- Employers undertake similar training to the gender equity workshop.
- Regular toolbox talks on gendered violence delivered by supervisors on the job and safety signage at work were also recommended.
- 54% of participants said the ACT Government should set quotas for women to work on ACT government construction projects to increase the number of women in all jobs in the

WORKSHOP FOLLOW-UP SURVEY

15

**IN THE FOLLOW
UP SURVEY
CONSTRUCTION
WORKERS
TOLD US**



"SINCE THE CLASS, I HAVE FELT
A NEED TO STAND UP FOR
PEOPLE IN SITUATIONS WHICH IS
GREAT."

"I RECOMMEND HOLDING THE
TRAINING COMPLETED FOR
ESTABLISHED BUSINESS AND
TRADESPEOPLE."

"GREAT COURSE, HELPS NOT
JUST MYSELF BUT PEOPLE
AROUND - PEOPLE HAVE
CHANGED THE WAY THEY TALK
TO ONE ANOTHER - EVEN WHEN
IT'S JUST BLOKES TALKING TO
ONE ANOTHER IT'S MORE
RESPECTFUL NOW IT'S A GOOD
THING."



INFORMAL FEEDBACK FROM WOMEN WORKING AT THE MULTIPLEX CANBERRA HOSPITAL SITE.

Given the unique nature of the project's intervention at the Multiplex Canberra hospital site, it was clear, we believe that the specific experience of women working on that site would provide insight into the utility of the workshop.

In the course of consultation with a group of women working on the site we took the opportunity to ask the women if they felt there was a tangible culture shift on the site in comparison to other construction projects they had worked on. Further, we asked if the training had had any noticeable effect in their view on attitudes towards other women and gendered violence on the job.

The response was that the attitude on site was markedly better and more respectful than on other sites. They said that while there had been a few instances of gendered violence on the job such as lewd comments or jokes, that bystanders had in each case intervened in some way or another, in some cases saying something to the effect of "Hey mate, I think you need to go back to the gender equity training – we don't say stuff like that on this job".

This feedback from the women at the Multiplex site shows that change is possible in the construction industry. If the entire workforce is trained in gendered violence awareness and active bystander behaviours, the culture of a construction site can change to be more inclusive of women.

THE MINI WORKSHOP

While the reach of the formal Safe and Respectful Workplaces workshop was significant, the Union also developed a toolbox talk capable of being delivered in about 15 minutes, as a form of mini workshop.

A toolbox talk is a common and readily understandable mode of communication for construction workers, ordinarily used for dissemination of site safety information, making it an appropriate structure to adapt for the mini workshop. In addition, in the case of some employers who were reluctant to send workers for a three-hour session of the Safe and Respectful Workplaces workshop, the toolbox talk provided an accessible introduction to the concepts in the course. The toolbox talk was delivered on 10 occasions to approximately 300 workers employed by a range of subcontractors

...?
... look like for

... is acronym - it stands for
... r, intersex, queer and is a
... ose who identify as fitting

... t work is constantly asked
... effering to their sex lives, or
... asked if they have had body

CFMEU
ACT
11



EMPLOYER ENGAGEMENT

In order to explore these attitudes among employers, the union conducted survey work with a range of employers of different sizes and from different sectors in the industry ranging from principal contractors to subcontractors in bricklaying, formwork, finishing, interiors, and painting. This group included:

- Site managers,
- Project managers,
- Safety managers, and
- Owners or directors.

Notably all bar one participant in the employer survey were male. However, other than in respect of their gender they represented a diverse range of background and experience in the construction industry.

Of the employers who participated in the survey, we found 14% of the workers they employed were women. However, the percentage of those women who were construction workers was only 1.7%. This is consistent with the Union's anecdotal understanding of the nature of women's employment in the construction industry, which is that women may be engaged in administrative, and some professional roles, but are highly unlikely to be engaged as construction workers. This data also highlights difficulty of obtaining accurate statistical data about women's employment in the industry as most publicly available data sources do not disaggregate employment as between administrative and construction employees creating an artificially inflated picture of the state of women's participation in construction work.

In order to further interrogate the questions relating to the incidence of women's employment in the construction industry, from the employer perspective, we then undertook an analysis of data provided to us by employers in the course of enterprise bargaining. As part of the process of finalising an enterprise agreement employers are required to declare, among other things the total size of their directly employed workforce and the number of those persons who are women. Because the enterprise agreement applies only to construction workers and not to administrative staff this represents a useful source of information. For the purpose of this analysis we considered enterprise agreements made with the Union which are current (that is made

approximately since 2019).

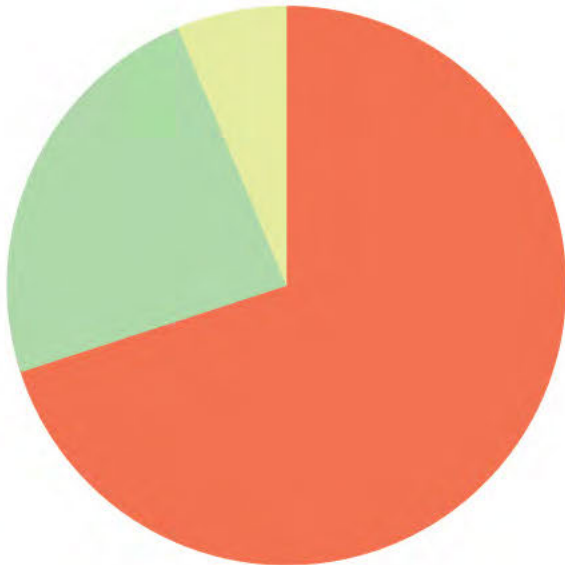
We have engaged with employers across construction in the ACT to identify their views about women's participation in the construction industry, and the structures they have in place to support women in the industry. We note however, the limitations of our capacity to engage effectively with employers, having regard to our status as a trade union and representative of employees. It is trite to note that a trade union will have varying relationships with the employers of its members with those ranging from functional relationships to outright industrial hostility.

For the purpose of the ICP our engagement with employers has been limited to those with positive or neutral relationships with the Union at the time the interviews were conducted. In most cases this is indicative of an employer who has engaged with the Union in enterprise bargaining. While this is a distinguishing feature of the employers whose views are represented below, it is our view that it does not significantly skew the responses in relation to the issues discussed, as will be clear from the discussion below the views expressed do not appear to be affected by any particular relationship with the Union.

Employer attitudes to women's participation in the construction industry will in many cases be determinative of the success of any project aimed at increasing women's participation in the industry; employers are, after all, the gatekeeper to employment. Notwithstanding legislative prohibitions on sex-based discrimination, the Union is aware that many employers are reluctant to employ women out of concern that the culture in the industry is not suitable for women. Employer representatives have previously told the Union that they do not hire women because "it is a workers compensation claim waiting to happen". These statements reflect both a clear understanding of the unsafe culture of their particular workforce, and an understanding of the effects of bullying or harassment likely to occur should women be introduced into an all male work environment. From a different perspective the Union also received feedback from employers reluctant to have their workforce participate in the Gender Equity Workshop, that they would not send their employees to a course intended to "turn boys into girls".

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Of the employers who have made an agreement in the relevant period, only 33% employ any women at all. The majority of those employers have declared only one woman in their EBA covered workforce. Only 7% of the study group employed more than one woman and of those only half employed more than 2 women. The highest percentage of women's employment occurred in a traffic control company which engaged 28% women. This was the only entity where women made up more than 20% of total workforce. These patterns were consistent across large and small business such that the chance of an entity employing a woman did not vary significantly with the size of its directly employed workforce.



no women 1 women 2 or more women

NUMBERS OF WOMEN EMPLOYED BY COMPANIES WITH CURRENT CFMEU EBA









PRINCIPAL CONTRACTORS

The statistics for women's participation in the industry are marginally better when we focused on the number employed by principal contractors. In those entities, there 20% of the entire workforce are women and 2.8% work in construction roles.

Only one principal contractor used recruitment quotas to meet a 50% female target. However, this target only applies to graduate engineering and cadet positions and does not apply to construction workers.

While 60% of the principal contractors we spoke to consider diversity in their formal hiring processes, they do not have quotas for women's employment among direct employees. One of the principals had set women's participation targets of 4% for the subcontractors on their project which was driven by client contractual requirements.

All principal contractors have Bullying and Harassment policies that cover gendered violence behaviours in place. These policies included a variety of reporting mechanisms for victims of gendered violence and include harsh penalties for perpetrators.

However, from the principal contractor cohort of survey respondents, only 3 reports of gendered violence had been received in the past year. Considering the number of workshop participants who share their stories of gendered violence, for example the post workshop survey identified that 33% of participants had observed gendered violence since completing the workshop, the low number of formal reports indicates that despite the existence of comprehensive policies, women are hesitant to report incidents of gendered violence in the workplace. All principal contractors surveyed had previously conducted mandatory bullying and harassment training at all levels of the business.

SUBCONTRACTORS:

The figures for women's participation are bleaker when we look at the statistics for the subcontractors we interviewed. In these organisations, women make up only 7% of the entire workforce and are almost exclusively focused in office and administration roles, only 0.5% of the construction workforce amongst this group are women. None of the subcontractors surveyed had taken any steps to hire more women into construction roles and most subcontractors told us that rather than advertising roles, new starters were recruited informally or would come into the workplace to ask for work.

When we queried employers about using targets to bring women into the industry, all subcontractors were against the idea, however, attitudes amongst them varied with some saying they wished they could hire more women because they generally produced higher quality work but were unable to. In contrast others were vehemently against it arguing the quality of work would diminish if quotas were introduced. The boss of one formwork company said, "I would never introduce gender quotas. Formwork is incredibly hard manual labour, not even 70% of the male population can do it I think, so I don't know how a woman could ever do it."

None of the subcontractors we interviewed has a bullying and harassment policy in place, but all felt that their workforce knew that bullying and harassment simply isn't tolerated and would be dealt with harshly. When we asked them about reporting mechanisms for workers who might want to make a complaint there were minimal internal avenues available due to the smaller size of these businesses.



INDUSTRY WIDE OBSERVATIONS

The principal contractors we spoke with were generally in favour of quotas being introduced, in contrast with the subcontractors we spoke with. Overall, when hiring construction workers, all employers we spoke with took the attitude of “we’ll hire whoever is right for the job”.

It is important also to recognise that despite this emphasis from employers on hiring the “best” or “right” person, and associated antagonism toward gender quotas in fact, hiring processes in the construction industry are largely informal and driven by personal relationships between employer and prospective employee. During the course of the employee workshop, in order to demonstrate the application of “Driver 2: Men’s control of decision-making” participants are asked how they got their start in the industry or how they got their most recent job. Almost uniformly male workshop participants relate that they obtained their work through a mate, or relative, or some similar relationship. It is clear that these hiring arrangements are not in fact focussed on engaging the “best” candidate

in the sense of a neutral or merit based assessment of competence. In fact, consistent with this, research has shown that in the construction industry women and men are “recruited through different processes and channels, with women more likely to be recruited through formal processes (i.e., formal advertisements, applications and interviews), while men were more likely to be recruited through informal networks including their family and family friends, schooling, sporting and industry connections.”¹¹ These type of informal gendered linkages obstruct women’s recruitment in the construction industry, and this needs to be taken into account when employers voice objections to women’s participation quotas that take the form of a suggestion that they would prevent merit based hiring.

We also asked employers about their awareness of recent Federal and Territory legislative changes, in particular recent changes to the Sex Discrimination Act 1984, the Fair Work Act 2009, and the Work Health and Safety Act 2011 in the ACT. We asked employers if they were aware of the new positive duty to prevent sex based harassment now contained in the Sex Discrimination Act as a result of the Respect At Work changes.



Employer awareness of the changes was mixed, although generally, principal contractors were more aware of the new laws and their obligations none had taken any further steps to ensure compliance with the legislation as they felt that the mechanisms they already had in place to prevent gendered violence, bullying and harassment were sufficient. Subcontractors on the other hand were significantly less likely to have heard of any of the changes, meaning they are completely unaware of the duties they now have to ensure the workplace is free from workplace sex discrimination and harassment and the measures they must put in place to prevent it from occurring. **None of the employers surveyed had taken any positive step to prevent sex based harassment post the introduction of the positive duty.** Finally, when asked what assistance or strategies the ACT Government could offer businesses to make the construction industry more gender equitable, employers had a variety of responses:

. The ACT government should make gender quotas a part of the tender process for government work so companies who meet the criteria are awarded with that work.

- . There should be more initiatives in schools teaching students the different pathways into the construction industry.
- . The ACT Government should consider allocating funding or scholarships specifically for women to obtain the qualifications (tickets) they need for construction work.
- . The ACT Government should consider providing financial incentives for companies to hire female apprentices and or to hire women into graduate and cadet programs.
- . The ACT Government should consider a register for women and girls interested in doing apprenticeships so companies can advertise positions directly to them.
- . The ACT government should consider outreach programs in schools, and educating girls about the benefits of getting into construction. Girls need to see a career in construction as an option.

11 Galea N, Powell A, Loosemore M, Chappell L. The gendered dimensions of informal institutions in the Australian construction industry. Gender Work Organ. 2020;1–18.

<https://doi.org/10.1111/gwao.12458>

COMMUNICATIONS STRATEGIES

Dealing with Resistance: While the post workshop feedback from construction workers discussed above was most often positive, it is also important to place this feedback in context. Prior to commencing each workshop, on almost every occasion it has been delivered the workshop facilitators report participants who were reluctant to attend or participate. These workers make comments like “I don’t know why I am here – I don’t need to be trained on gender”, “this is a waste of time”, sometimes with more gendered and hostile overtones, suggesting that women should just “fit in” to the industry without the need for this type of training. Given the incidence of all four drivers of gendered violence in the construction industry the presence of these attitudes ranging from passive negativity to outright hostility, is not surprising, and it is indicative of the need for care in the way communication takes place in relation to issues of gender equity.

These attitudes, and types of resistance, also play out in the delivery of the workshop. While most participants engage in good faith, there are occasions on which participants are antagonistic, and occasionally discussion of a need for gender equity prompts expressions resistance which take the form of overt misogyny. Course facilitators regularly de-brief on these situations and discuss techniques to defuse and reconnect with the course material, which is in most cases possible. On rare occasions course participants expressing these forms of resistance have been asked to leave the classroom, because their behaviour was in fact taking the form of gendered violence against women present, was perpetuating previous acts of gendered violence, or was otherwise undermining the delivery of the workshop.

These types of resistance were anticipated in the course design and framing and will also need to be addressed in future communications strategies. While it may appear more logical to discuss gender equity from a human rights perspective there was concern that this would be alien and/or antagonistic in an industry as gender segregated and male dominated as the construction industry. Instead, the WHS framework, which is familiar to construction workers, allows for the discussion of relatively complex ideas about gender in a less confronting manner, and in particular one which does not promote resistance driven by shaming.¹²This allows course facilitators to focus on attitudinal change in the “moveable middle” of the spectrum of resistance, rather than attempting to persuade resistant outliers.



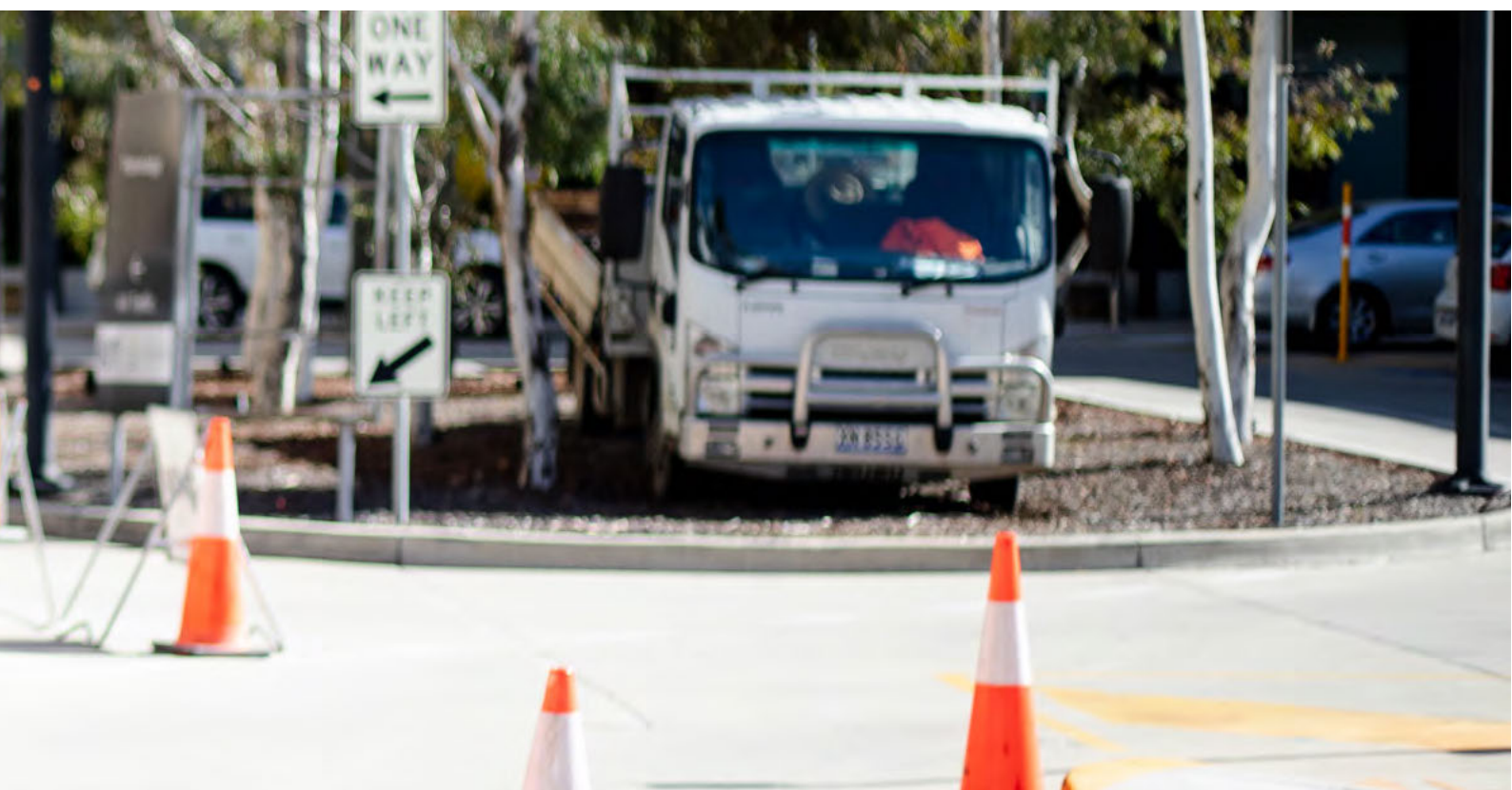
This idea of engaging with the moveable middle also aligns with the anecdotal evidence from women members of the Union which originally drove the development of the course and the ICP, which is that most construction workers are not actively engaged in, or supportive of, gendered violence and are willing and able to speak up about it if encouraged to do so (for example by framing it as a safety issue).

“focusing on the ‘moveable middle’, is where change can most effectively begin. It is only by shifting the existing social norms that the entrenched opposition will start to modernise, and realise how outdated and ill-informed they have become.”¹³

In addition, the use of a WHS framework allows communication strategies to draw on existing messaging about safety at work, both delivered by the Union and by government, that worker safety is a matter for everyone, or that safety is in workers hands as well as employers. In the context of driving cultural/ attitudinal change about gendered violence it is important for workers to understand that this is a matter that they must take charge of and that it cannot be left to employers. While workplace policies and hiring practices can play a significant part in creating gender equity, if workers do not understand that this is a change they can effect for themselves, it is unlikely that a top down approach will succeed on its own. This is especially the case with gendered violence, where the perpetration may be subtle and occur in a manner which although obvious in the lunchroom, sits well below the corporate radar, unlike other more obvious physical safety hazards.

The employer interview feedback also emphasises the need for nuanced communication strategy. While employers who think that gender equity is about “turning boys into girls” are probably not the majority in the industry the employer interviews revealed a range of resistant attitudes along that spectrum, together with variations on the view that construction work was “too heavy” for women. While individuals in management and ownership roles are influenced by psychosocial factors in the same manner as their employees, they are also responsive to economic and legal arguments relating to their corporate obligations. In this context we have concluded that communication with employers focussing on their statutory responsibilities may be a useful starting point.

12, 13 VicHealth and Behavioural Insights Team 2019, Take Action: Empowering bystanders to act on sexist and sexually harassing behaviours, Victorian Health Promotion Foundation, Melbourne.





COMMUNICATIONS STRATEGIES

In addition, we note that while the employee feedback clearly indicated the view of employees that it would be useful for employers to have access to a workshop like the gender equity workshop, none of the employers made a similar suggestion. However, expression of attitudes like those noted in the paragraph above, does indicate that some form of similar employer directed workshop might have benefit in raising awareness of gender equity issues, and techniques for addressing gendered violence in the workplace. While the Union is well positioned to deliver the gender equity workshop to workers, it is our view that employers are more likely to respond positively to a workshop delivered by a more neutral third party and/or government. Positioning an employer workshop separately from the Union would allow access to a wider range of employers and would also avoid the need to deal with resistance associated with friction in the union/employer relationship. In this regard we note that the Union has developed a version of the workshop suitable for delivery to employers, with employer specific case studies etc which we are able to share with any suitable organisation able to develop or deliver an employer workshop.

The survey feedback revealed an overall lack of understanding of both new and existing obligations in relation to gender equity among employers, but the distinction between SME and large business was clear, with SME employers obviously less informed about these obligations. However, in the construction industry, the use of subcontracted trade and labour models means that SME are in fact the employers of most construction workers, while the larger principal contractors, who appear to be better informed about legal requirements regarding gender equity, employ fewer construction workers. This is not to say that engagement with principal contractors is not important (as principal contractors can drive site policies, and impose quotas and obligations on their subcontractors), but that engagement with principal contractors is at one remove from the location of most

employment in the construction industry. In order to effect significant change in the gender balance of the construction industry, significant change in subcontractor employment patterns will need to occur.

Successful communication about gender equity with SME subcontractors in the construction industry will need to take into account:

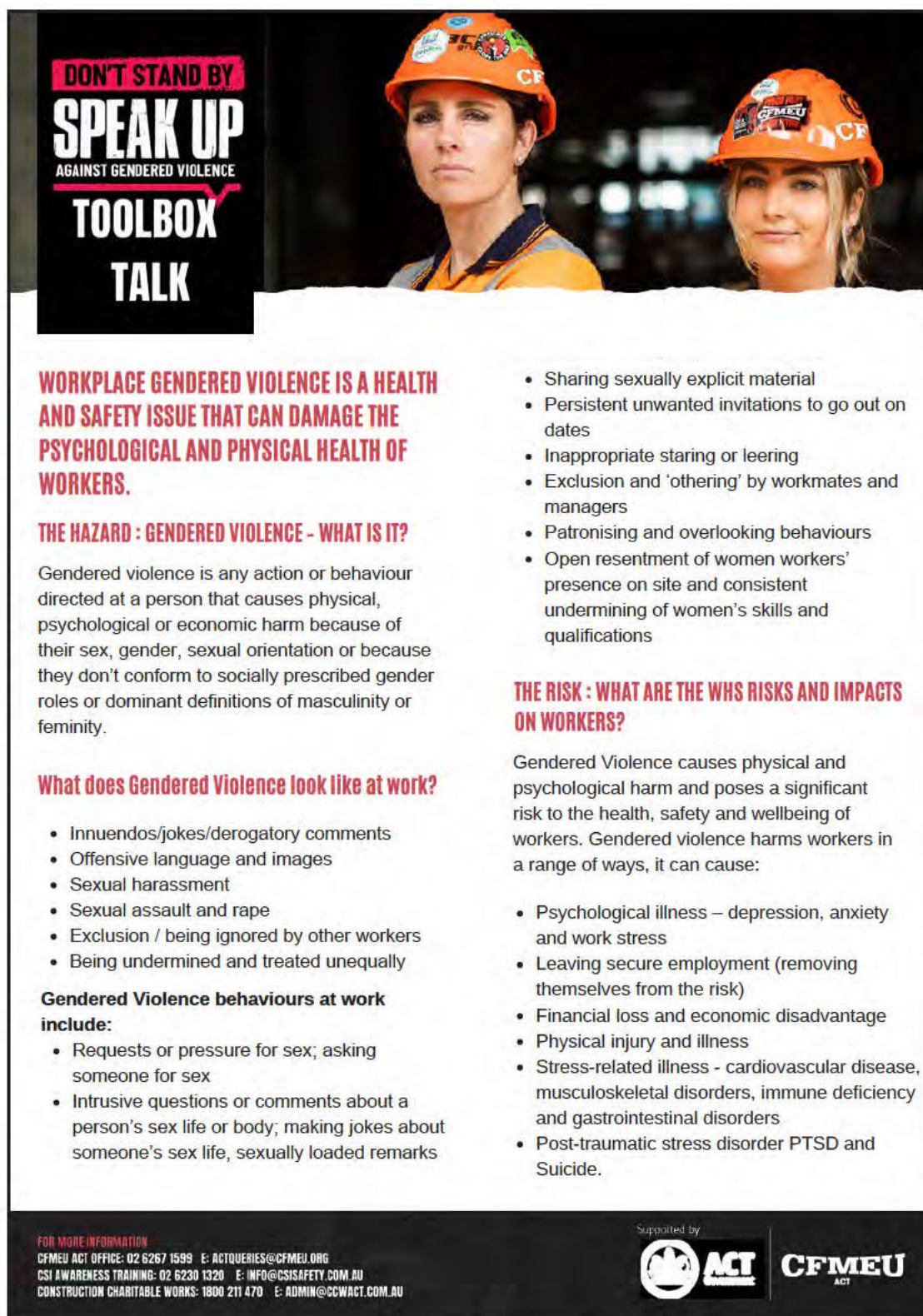
- Attitudes to gender equity of the kind expressed by employees and noted above, are also likely to be held by their employers who are often construction workers themselves.
- SME subcontractors may not have the internal capacity to develop detailed policies or reporting systems. This is often seen in the WHS sphere where many subcontractors purchase off the shelf safety policies and manuals from external consultants to meet their statutory obligations in relation to safety documentation.
- Relatedly, even quite senior management of SME construction subcontractors can be actively engaged in the day to day production of the company, working on the tools rather than in office based administrative capacities. While effective for the practical management of their enterprises this limits their time and capacity to engage with complex compliance issues outside of those directly associated with their trade
- Counter to these limitations are the opportunities that arise from the relationship between subcontractor and principal contractor. Often principals and subcontractors will have ongoing relationships between projects, and principals with their greater internal capacity become a source of information for subcontractors. This can occur in a number of ways as principals take steps to encourage external statutory compliance in their preferred subcontractors.



A set of two hard hat stickers with key messages drawn from the gender equity workshop. Hard hat stickers are a common method of communicating intent in the construction industry. Construction workers indicate their union status, their football team allegiance, and a range of other personal values and beliefs by symbolic means of stickers on their hard hats. A sticker which indicates that the wearer believes that gendered violence is not a joke, or that they will speak up against gendered violence, is a significant form of communication, which, when reiterated around a site on the helmets of many workers has substantial normative capacity¹⁴.

¹⁴ Court, A. (2020). No Stickers on Hard Hats, No Flags on Cranes: How the Federal Building Code Highlights the Repressive Tendencies of Power. Index, (2).





**DON'T STAND BY
SPEAK UP
AGAINST GENDERED VIOLENCE
TOOLBOX
TALK**

WORKPLACE GENDERED VIOLENCE IS A HEALTH AND SAFETY ISSUE THAT CAN DAMAGE THE PSYCHOLOGICAL AND PHYSICAL HEALTH OF WORKERS.

THE HAZARD : GENDERED VIOLENCE - WHAT IS IT?

Gendered violence is any action or behaviour directed at a person that causes physical, psychological or economic harm because of their sex, gender, sexual orientation or because they don't conform to socially prescribed gender roles or dominant definitions of masculinity or femininity.

What does Gendered Violence look like at work?

- Innuendos/jokes/derogatory comments
- Offensive language and images
- Sexual harassment
- Sexual assault and rape
- Exclusion / being ignored by other workers
- Being undermined and treated unequally

Gendered Violence behaviours at work include:

- Requests or pressure for sex; asking someone for sex
- Intrusive questions or comments about a person's sex life or body; making jokes about someone's sex life, sexually loaded remarks



- Sharing sexually explicit material
- Persistent unwanted invitations to go out on dates
- Inappropriate staring or leering
- Exclusion and 'othering' by workmates and managers
- Patronising and overlooking behaviours
- Open resentment of women workers' presence on site and consistent undermining of women's skills and qualifications

THE RISK : WHAT ARE THE WHS RISKS AND IMPACTS ON WORKERS?

Gendered Violence causes physical and psychological harm and poses a significant risk to the health, safety and wellbeing of workers. Gendered violence harms workers in a range of ways, it can cause:

- Psychological illness – depression, anxiety and work stress
- Leaving secure employment (removing themselves from the risk)
- Financial loss and economic disadvantage
- Physical injury and illness
- Stress-related illness - cardiovascular disease, musculoskeletal disorders, immune deficiency and gastrointestinal disorders
- Post-traumatic stress disorder PTSD and Suicide.

FOR MORE INFORMATION
CFMEU ACT OFFICE: 02 6267 1599 E: ACTQUERIES@CFMEU.ORG
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CONSTRUCTION CHARITABLE WORKS: 1800 211 470 E: ADMIN@CCWACT.COM.AU

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A flyer to support the delivery of a 15 minute toolbox talk on the subject of Gendered Violence and active bystander behaviour. As noted above a toolbox talk is a common mode of ensuring that a site based workforce is made aware of safety issues on an ongoing basis. In the construction industry context, a toolbox talk is an accessible method of introducing the idea that gendered violence is a workplace health and safety issue, and of introducing active bystander behaviour as a control measure. In addition, because the toolbox talk is short it can be used on an iterative basis to emphasise the need to treat gendered violence as a workplace safety issue. This iterative capacity is particularly important in the commercial construction industry, where the cohort of workers on a site changes from day to day.

Research tells us there are four factors that drive gendered violence. Rigid gender stereotyping and dominant forms of masculinity and male peer relations and cultures of masculinity that emphasise aggression, dominance and control are very strong in the construction industry and are two of these four factors that drive gendered violence. These behaviours hurt men as well as women.

'Being stuck daily, in a Alimak lift being shown pornographic images on my workmate's phones. I felt sick in my stomach, some mornings I just had to call in sick as I couldn't face turning up at work.'

CONTROL MEASURES : Doing Nothing Does Harm.

Know your responsibilities

Workers and employers have shared obligations in keeping a workplace safe.

They must take reasonable care that their acts or omissions do not adversely affect the health and safety of other persons. The WHS Act 2011 recognises that there are circumstances where doing nothing can cause harm.

Key active bystander behaviours

Defuse - deflect, distract, discourage and minimise gendered violence by - showing it's not OK; using body language to show your disapproval, rolling your eyes or shaking your head, not laughing along, walking away, standing between the person being disrespectful and the person being targeted or making a comment about something not related to what is happening 'What's the time?' 'What task are we up to with this?'

Check-in - support the person who is being targeted by - asking if they're OK - in person or in a message, acknowledging what happened: 'Hey, I'm sorry. That wasn't cool', backing up people doing something and supporting people who report gendered violence.

Call out - speak up to reduce and stop the behaviour by - questioning sexist jokes: 'I don't get what's funny?' focusing on the behaviour: 'That comment was out of line', purposely change the topic: 'Seriously? Let's move on,' making a joke: 'C'mon, aren't we better than that?' asking them to stop: 'Alright, that's enough.'

Report - use workplace mechanisms and assist by - offering support in reporting an issue to HSR, Union Delegate, Safety Committee Member, Union Organiser, Anonymously to Union, Internal HR, Supervisor, WorkSafe either anonymously or not.

Raise awareness about Gendered Violence and know how to report an issue

- Speak about Gendered Violence at work
- Participate in Safe and Respectful Workplace training
- Know your workplace bullying/ harassment and workplace behaviour policies and procedures
- Know who you can speak to about a safety concern at your work
- Report an issue to your Health and Safety Representative

'I've been flat out asked for sex on-site. I was shocked, and I was really uncomfortable.'

Doing nothing does harm.

FOR MORE INFORMATION

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**DON'T STAND BY
SPEAK UP
AGAINST GENDERED VIOLENCE**

**PCBU
CHECKLIST**

Are you ready for the Respect at Work changes?

The Federal and Territory Governments have recently made changes to the law about sex-based harassment and discrimination at work.

Under the Sex Discrimination Act 1984 and the Fair Work Act 2009, Employers and PCBU now have obligations to stop and prevent workplace sex-based harassment or discrimination before it happens and to take reasonable steps to eliminate workplace sex discrimination and harassment. Employers and PCBU must take proactive steps to ensure the safety of their employees and now bear the responsibility of taking reasonable and proportionate measures to eliminate discriminatory conduct from workplaces.

Under the Work Health and Safety Act 2011 in the ACT sexual assault which occurs at work is now classed as a notifiable incident which must be notified to WorkSafe ACT if it occurs. These changes mean employers and PCBU now have a positive duty to keep workers safe from risks of sexual assault at work. Employers and PCBU may be investigated if they do not comply with this duty. Just like any other WHS Hazard, employers and PCBU must implement mechanisms to assess, identify and manage risks of sexual assault at work.

Guidelines for a Safe and Respectful Workplace

Knowledge

- Understand your obligations under the Law including the Fair Work Act, the Equal Opportunity Act, the Sex Discrimination Act and the Work Health and Safety Act and have up-to date knowledge about workplace sexual harassment.
- understand the drivers and impacts of sexual harassment.
- Leaders and supervisors know how to identify and respond to sexual harassment in their workplace.

Risk management

- Recognise and treat sexual harassment as a work health and safety risk.
- Regularly identify and assess risk factors for sexual harassment, including by seeking feedback from workers.
- Workers understand and are encouraged to use systems in place to address risk.
- Take steps to minimise and control workplace risk factors.

Organisational capability

- Drive a culture of respect by building organisational capability.
- Expectations of respectful workplace behaviour have been set and clearly communicated to workers.
- Encourage and support bystanders to act safely to respond to sexual harassment.
- Leaders model respectful workplace behaviour.

Prevention plan

- Develop and implement an effective sexual harassment prevention plan.
- Workers and their representatives have an opportunity to contribute to the development or revision of the plan
- Workers understand the plan (including relevant policies and procedures) and know where to find it.

CFMEU

A flyer directed at employers addressing recent legislative change in the area of workplace gendered violence. As noted from the survey data above, there is very little awareness among employers of their statutory duties in this area. This flyer not only provides employers with guidance on the new positive obligation to prevent gender based harassment, but also includes guidance on practical steps employers can take.

Reporting and response

- Responses to complaints are timely and consistent, with proportionate disciplinary outcomes.
- A fair and confidential reporting and complaints procedure is prepared in consultation with workers, with victims-survivors wellbeing prioritised.
- Workers know how and where to make a complaint or report, and are supported to do so.
- Workers are safe and supported throughout a complaints process, including through identifying and preventing victimisation.

Monitoring and evaluation

- Regularly collect and assess reporting and complaints (and other relevant) data for trends, patterns and lessons to drive continuous improvement.
- Regularly review and update sexual harassment prevention plans (e.g. annually) to drive continuous improvement.
- Be transparent about trends, patterns and lessons with workers, boards and key stakeholders.

Practical Action

- ☑ Commit to increasing women's participation in the construction industry by actively encouraging women to work for the company.
- ☑ Our company understands the importance of gender equality and respectful relationships and is committed to taking action to build a fairer workplace and remove gendered violence.
- ☑ Management and employees at all levels can identify gendered violence, understand the risks associated with it and have put controls in place to prevent it in the workplace.
- ☑ Management models inclusive behaviour and take a leadership position on preventing gendered violence.
- ☑ HSRs and WHS representatives have been trained in gendered violence awareness.
- ☑ The company has a zero-tolerance culture towards inappropriate behavior towards women
- ☑ Management and employees take active bystander action if they witness any instance of gendered violence.
- ☑ Clear, accessible and transparent policies and procedures have been developed around gendered violence, gender equality, discrimination, bullying, sexual harassment and diversity and inclusion.
- ☑ The policies include confidential processes for people to feel safe and supported to report incidents that occur without negative impacts on their employment and well-being.
- ☑ Large organisations should establish a women's contact person for reporting gendered violence and discrimination
- ☑ Women have access to women's bathrooms and sanitary disposal bins.
- ☑ Policies have been developed to support pregnant women to stay safe while also enabling them to remain employed in a role aligned with their trade and skillset throughout their pregnancy.
- ☑ Women with caring responsibilities returning to work have access to flexible work practices such as part-time work, job share, and flexible work hours and can continue in roles aligned with their skillset.

DOING NOTHING DOES HARM.

FOR MORE INFORMATION

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GENDERED VIOLENCE IS NEVER A JOKE

**Disrespect, harassment
and bullying are just as
dangerous as any other
safety issue at work.**

**If you'd speak up about
safety, speak up about
gendered violence.**

DON'T STAND BY SPEAK UP AGAINST GENDERED VIOLENCE



f /CFMEUACT **@** @CFMEU.ACT

www.act.cfmeu.org

Authorised by Zach Smith, Secretary, CFMEU ACT.

If you don't call it out, you're part of the problem

CFMEU
ACT

A wallet sized card which sets out common types of bystander action, intended for use by Gender Equity workshop participants as a reminder of how to take action, but also suitable for those who have only had the outline provided in the toolbox talk.

HOW TO STAND UP & SPEAK UP AGAINST GENDERED VIOLENCE AT WORK

USE BODY LANGUAGE to show your disapproval: roll your eyes, shake your head, don't laugh along, walk away.

CRITICISE THE BEHAVIOUR: 'I don't get what's funny?', 'That comment was out of line', 'C'mon, aren't we better than that?'

PURPOSELY CHANGE THE TOPIC: 'What's the time?', 'What task are we up to with this?'

ASK THEM TO STOP: 'Hey, that's enough', 'Seriously? Let's move on'.

ASK THE TARGET OF THE VIOLENT ACT IF THEY ARE OK, acknowledge what's happened: 'Are you OK?', 'Hey, I'm sorry. That wasn't cool'.

SUPPORT YOUR WORKMATES: Back up people who speak up, help raise the issue with the site HSR, know your reporting options.

DON'T TURN YOUR BACK ON DISRESPECT

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CONCLUSIONS AND RECOMMENDATIONS





The Safe and Respectful Workplaces workshop has received overwhelmingly positive feedback from participants. The post-workshop and follow-up surveys conducted for the ICP indicate that Safe and Respectful Workplaces training has been effective in raising awareness of gendered violence in the construction industry and providing attendees with the skills to intervene and become active bystanders. The workshop has been successful in encouraging more workers to take a stand against gendered violence, and the perception among participants is that attitudes towards women and gendered violence have shifted since the training. According to feedback from women at the Multiplex site, the training has been successful in creating a culture shift and has contributed to a more respectful work environment.

The ICP survey results shed light on the prevalence of gendered violence in the industry and the types of behaviour that are most frequently observed or experienced, such as sexual harassment and inappropriate comments. Additionally, derogatory comments towards men that are considered gendered violence, such as “stop being a girl” or “stop being a sook,” are accepted as normal behaviour in the industry. Homophobic comments are also rampant on construction sites. These findings suggest that further training and education initiatives are needed to address gender inequity and gendered violence in the workplace.

Engaging with employers in the construction industry has given us a better understanding of where the industry is at in terms of supporting women in the sector. Women have low participation rates in construction roles. Where women are employed they are most likely to be the only woman employed by their employer. The lack of active recruitment of women, the disapproval for women’s participation quotas among subcontractors, and the perception that the “best” candidate should be hired (regardless of gender) indicate that there is still a need for a culture shift towards a more inclusive and equitable workforce.

While principal contractors have policies in place to address gendered violence and harassment, the low number of reported incidents suggests that women are hesitant to make reports of incidents when they occur. This is reflected in the anecdotal evidence gathered during the project that many women feel that their employer might laugh or make a further inappropriate comments if they attempt to raise an incident of gendered violence.

Additionally, employers were generally not aware of their legislative obligations to prevent gendered violence and sexual harassment from occurring. In SME employment context there may be limited capacity for developing internal reporting lines, and this limitation emphasises the need for appropriate reporting mechanisms which are not reliant upon the employer’s hierarchy, like employee Health and Safety Representatives.

More work needs to be done to reduce gender segregation in the construction industry, and it will take the collective efforts of employers, unions, and the ACT government to put programs and measures in place to make it happen. It is clear that no one tool will fix the problem and that a multi faceted strategy addressing both gender segregation and culture, and the manner in which they reinforce each other will be necessary.

“ I’VE BEEN ON JOBS WHERE PEOPLE HAVE BEEN TO THE WORKSHOP, AND THE CULTURE HAS CHANGED

RECOMMENDATIONS

- 1.** Completion of the Safe and Respectful Workplaces Workshop should be made mandatory for all workers on ACT Government construction projects, the workshop should continue to be rolled out across the ACT construction industry more broadly and should be made mandatory at CIT for all construction industry trainees. Given the fragmented nature of subcontracted employment arrangements in the industry, a model which prioritises whole site delivery (as is occurring on the Multiplex project) is most likely to drive significant change.
- 2.** An Employer focussed Gender Equity Workshop. As became clear in the employer engagement discussed above, negative attitudes about the role of women in the construction industry, and about the need for gender equity, are as likely to occur in employers and managers as they are in construction workers. A workshop based on the Safe and Respectful Workplaces Workshop, should be developed to ensure that construction industry employers and managers able to develop an understanding of the effects of gendered violence and their own obligations in relation to preventing gendered violence at work. Any such workshop should not be delivered by the Union, although the Union, as a key stakeholder, should play a part in ensuring content is appropriate having regard to its likely effect on union members.
- 3.** Related to Recommendation 2 above, more work needs to be done to improve employer awareness of legislative obligations in relation to gender equity and gendered violence and inform them of their obligations to ensure that women are safe and treated equally and fairly in the workplace
- 4.** ACT Government should provide encouragement and support for employers who train their workforce to recognise and prevent gendered violence at work. The Ethical Treatment of Workers Assessment/ Labour Relations, Training and Workplace Equity Plan component of the current procurement process under the Secure Local Jobs code should specifically recognise the value of engagement in workforce education directed at cultural change of this kind, in particular in the form of the Safe and Respectful Workplaces Workshop.
- 5.** The ACT Government should implement mandatory employment participation quotas for women on ACT Government construction sites. Mandatory quotas will provide a clear signal to employers that they need to take active steps to recruit, train and retain women construction workers. An increase in the number of women employed in the industry will have the dual effect of alleviating the isolation currently reported by many women which leads them to leave the industry and which leaves them vulnerable to discrimination and harassment, and will also enhance the signal that women belong in the industry as it is relayed to construction workers.
- 6.** The ACT government should continue to promote the perception that women are equally capable of carrying out roles in the construction industry and encourage employers to be more proactive in actively recruiting women into construction roles by providing financial incentives for training women in industry specific skills.
- 7.** HSR training in dealing with Gendered Violence at work should be mandatory. The survey data and anecdotal responses of women participants in the workshop indicate that safe reporting mechanisms are an essential component of stopping and preventing gendered violence. If women do not believe that their employer will take action to improve the situation, they are unlikely to report gendered violence to their employer or anywhere else. While this is an issue for all safety reporting, it is particularly relevant in the context of gendered violence. Under WHS legislation, alternative reporting mechanisms have been introduced to address this issue, and also to address situations where employers may be complicit in, or the perpetrator of the hazard. The Role of Health and Safety representatives as an alternate reporting mechanism is emphasised throughout the workshop, as a tool for those who do not feel comfortable reporting to their employer. Taking this into account, it is important to ensure that HSRs are properly trained to recognise and deal with the specific hazard of gendered violence. The Victorian Government has addressed this issue by requiring all HSRs to complete mandatory refresher training on gendered violence as a workplace hazard. We recommend that this type of training for HSR also be required in the ACT.



**DOING NOTHING
DOES HARM.
CFMEU
ACT**

19 May 2023

Women in Construction Procurement Policy – Sch 2.2(a)(xi) ; Sch 2.2(a)(xii) Comments

On behalf of the Sch 2.2(a)(xi) ; Sch 2.2(a)(xii), it is with pleasure that we submit our comments on the Women in Construction Procurement Policy.

In starting, we would like to commend the ACT Government and Office for Women for prioritising the increase in women in the construction sector, which has been evident over previous years with the support to NAWIC programs such as the Women in Construction Pathways program, the Understanding Building and Construction Pilot Program, and many other programs run by the myriad stakeholders within the ACT who are driving positive change in the construction industry. We also thank you for the collaboration with Industry through the previous opportunities to comment on this policy and other forums. As previously communicated, NAWIC strongly support the use of procurement policy and other Government policy levers to help create structural change in an industry that has been incredibly slow to change. We believe that Government lead procurement policy is an excellent incentive for Industry to support what is a necessary shift in our industry.

Sch 2.2(a)(xi) ; Sch 2.2(a)(xii) would like to make the following comments on the draft:

Introduction

- The 25% figure in the WGEA scorecard relates to all women in the construction industry, including administration and corporate services roles. It would be helpful to set the context of the policy here by including the significant disparity that exists in operational roles, not only those women in trades (which is correctly stated at 2%).

Policy Scope

- The \$5M threshold is a good balance which covers the vast majority of ACT Infrastructure spending but also allows for a more simplified procurement and compliance bar for small businesses who operate under this threshold
- Should the policy apply to all construction work? Yes, and it should also include design and consulting work which relates to construction projects with an expected construction cost of \$5M+

Targets & Measures

- A definition of “personnel delivering the specific contract” should be developed to clearly align this target to women in operational roles (i.e. Qualified trades, Construction workers, site supervision, contract administration, site engineers, project management etc)
- It should be noted, however, that a contract based target - 25% total hours with 5% total trade hours by women creates a risk of extensive low wage work and does little for pay equity aspirations in the long term. We need to move participation and pay equity


forward together. Suggest the 25% total target is jointly aligned with participation and overall payroll so it creates a tangible obligation to achieve the intent of the 25% participation in management/supervisory labour target as well as trades and non-trade. Overall, I think there needs to be an actual labour forecast of these targets and map out what is actually achievable in terms of both participation & pay.

- Organisational targets. Trade covered labour at 3% is too low, noting we are already at 2%, and the balance of 7% to non-trade roles can shift the incentive to low paid work with risks exacerbating the pay gap. Further, if women currently represent 28% of apprentices in training, this figure should be the one we are targeting as a stretch goal.?
- A choice between either contract or organisational provides the right level of flexibility for companies, and is in line with other policies such as the IPP.
- Tracking could be either via headcount or labour hours, noting the former would be more open to undue "shaping" by companies if they were just trying to meet the targets without meeting the intent of the policy. Labour hours would be more accurate, and is achievable with most modern safety tracking sign in software such as sign-on-site. A definition may need to incorporate women or gender diverse workers?

Application to Procurement

- Option 1 - mandatory minimum requirement - is the ideal position to provide the immediate incentive for change, however, as an initial policy may artificially preclude certain companies who are trying to do the right thing, but have not yet developed to that point of achieving the MMR percentages.
- The assessable criteria as an interim "Stage 1" implementation method allows for the industry to prioritise change, and rewards those companies who are already at that level and incentivises those who are either already at that level.
- Suggest this is evolved to allow suppliers to submit an action plan or strategy with their tender to achieve compliance by date X. The reality is many won't have compliant numbers of women on their bench, and for stage 1 roll out of these targets, especially in a small jurisdiction like the ACT, we don't want the unintended consequence of excluding a number of suppliers and thereby disadvantaging ACT ratepayers..

Implementation

- Barriers or risks to 01 July 2024 - no, just break down stage 1 and stage 2 implementation so we manage the market shock and so forth with a measured, achievable strategy
-  and other industry programs such as the Women in Construction Pathways programs aim to increase the number of students joining the industry. Support and funding for these programs will be critical to achieve the outcomes of this policy over the medium to long term
- What barriers would suppliers face? As noted above under "Alternate"
- The policy needs "teeth" to ensure it is properly implemented by the market. Either assessable criteria or MMR at procurement is one thing, but compliance during the contract is critical to achieve the outcomes. An audit process and meaningful financial penalty for a successful tenderer failing to meet the gender commitment should be considered

- Reporting via WHS hours would be the most effective forms of tracking and the least effort for companies to implement

Sch 2.2(a)(xi) ; Sch 2.2(a)(xii)

Sch 2.2(a)(xi)

22 May 2023

Procurement ACT

By Email: CMTEDDProcurementPolicyandCapability@act.gov.au

Women in Construction Procurement Policy

Thank you for the opportunity to provide a submission on the *Women in Construction Procurement Policy Discussion Paper* released in March 2023. We share the ACT Government's objective of a diverse and vibrant building and construction industry in the ACT. For this policy to be successful, the ACT Government need to invest in attraction programs that are aimed at women of all ages, with a substantial increase in funding to industry-led programs to achieve this goal. The implementation of any targets or quotas must therefore be delayed until such time as there is a significant increase in the levels of female participation in the ACT industry to ensure the long-term success, sustainability, and retention of female participation.

About Master Builders ACT

Master Builders ACT is the peak industry association for the building and construction industry. We have over 1,000 members across residential, commercial, civil contractors, subcontractors, suppliers, and professional sectors of our industry. We are in a unique position to respond to this discussion paper, because in addition to being an industry association, our organisation runs MBA Group Training, a registered training organisation that delivers carpentry apprenticeship training, and a wide variety of short courses for the building and construction industry. As we explain in the paper below, Master Builders ACT and MBA Group Training have developed and contributed to many significant and successful programs to attract women into our industry.

Discussion Paper

Master Builders ACT and our members appreciate the acknowledgment provided in the Discussion Paper that the building and construction industry has been making proactive changes to increase the diversity and inclusiveness of women in the industry. We agree that further work can be done to increase the number of women in trade roles, and to decrease the gender pay gap. The Discussion Paper refers to the desire by the ACT Government to "*achieve gender equality in construction in the Canberra region*". Master Builders ACT and our members agree that a diverse and inclusive workplace is generally safer and more productive, however, we query whether there is anecdotal or empirical evidence that supports the desire for there to be 50% female participation in the building and construction industry.

For that to happen, there would need to be a corresponding change to other industries, whether that be through additional male participation in traditionally female-dominated industries, or through a net loss in other occupations. In other words, this target and objective cannot be met in isolation. The Discussion Paper also refers to the *First Action Plan 2017-19*, which set a target of prioritising contractors that had a Gender Equity Strategy in place. Master Builders ACT would encourage all members to ensure that they have this in place, and many do. However, employers alone cannot be solely responsible for attracting women to the industry, whether it be young girls who are still in school, through to women employment in other industries looking to retrain, or women returning to the workforce after children. Even government or industry campaigns and programs will fall short if there isn't a change to societal norms which make young girls consider construction as a viable career path from an early age.

Master Builders ACT supports the ACT Government, as the largest developer and building and construction client in the Territory, using its purchasing power to encourage and promote the industry proactively engaging more women. However, given the evidence available on the number of women currently employment in the building and construction industry and the relatively low unemployment rate, Master Builders ACT does not consider it is an appropriate time to introduce mandated quotas and targets on the industry. We have concerns that doing so will ultimately result in poor procurement outcomes for the Territory, and not actually facilitate the long-term growth and commitment of women joining our industry. Rather, Master Builders ACT would like to see additional investment from the ACT Government in programs and attraction campaigns, in collaboration with industry, to promote the industry as a viable and attractive career move for young girls and women generally. If this is implemented well, then we anticipate that quotas and targets will be superfluous to requirements as there will be greater diversity in the industry, and a reduced gender pay gap, in the years to come.

Economic Climate

The ACT Government must take into consideration the economic climate when determining any additional proposed regulation on the building and construction industry, including procurement targets (whether aspirational or fixed quotas). Over the past three years, the building and construction industry has experienced unprecedented cost increases and delays resulting from the impact of COVID-19 lockdowns in the ACT and around Australia. In addition, there has been a labour shortage across Australia which has hindered progress across the building and construction industry over the past 12-18 months. The unemployment rate is sitting at 3.7% according to the most recent report from the Australian Bureau of Statistics, very close to a ten-year low. It is apparent that any significant immediate increase in female participation in the building and construction industry will likely be to the detriment of other industries.

Current Participation

According to data obtained from the ABS, female apprentices and trainees make up 5.5% of the cohort in the ACT in 2022. This is compared with 4.7% across Australia. The data shows there has been a steady increase over the past five years in female participation in apprenticeships and traineeships and with additional efforts and campaigns from the ACT Government and industry, this participation rate will continue to rise. Over the next three to five years, these women will

be completing their trades and rising through the ranks, so that they will in turn become ambassadors for additional female participation in the industry, killing the adage of “you can’t be what you can’t see”. The latest data suggests that only 13.3% of the construction industry is female, with the most common role for females in the clerical and administrative work (81.9%). There are only 12.7% of females in management roles, and less than 4% for each of technicians and trades, machinery operators and drivers, and labourers.

Further analysis of the participation rates in the ACT and nationally is included in the Annexure.

Barriers to Entry

Flexibility and access to affordable childcare are just two of several factors which prevent, or make it difficult for women, to participate fully in the workforce generally. These factors are exacerbated in the building and construction industry which cannot ordinarily promote flexibility due to inflexible contractual terms that impose tight deadlines and exorbitant liquidated damages if those deadlines are not met, and where the opportunity to work from home is limited, through to the strict requirements that are a core feature of enterprise agreements. Without genuine reform to the rigidity of the workplace relations system, it is unlikely that there will be a significant increase in female participation in the construction industry.

According to the *National Strategy to Achieve Gender Equality* discussion paper, women remain predominantly the primary caregiver of children (54%). Only 4% of families reported that a man was the primary caregiver for children, with 40% of families reporting equal shared responsibility. Until these statistics change, and there are more instances with equal shared responsibility, it will be difficult to attract more women into the construction industry. Access to affordable childcare, with flexibility and availability outside of the traditional office hours, is paramount to enabling women to work in non-traditional roles and contribute outside of the family home. Encouraging men to increase their participation in family life, by providing more flexibility (and normalising it) and promoting the benefits of this, will assist women to participate full time in the workforce. Without societal change, it will be difficult to achieve the objectives of greater female participation in the workforce (especially the building and construction industry) without placing unnecessary stress and pressure on women to have it all.

Attraction Programs

As referred to above, Master Builders ACT has contributed to and created a number of programs (the majority of which are partly or wholly funded by the ACT Government) to attract women to the building and construction industry. The most well-known program is the “Spark Women in Civil” program, facilitated by Ginninderry. MBA Group Training had the role of delivering the required training to the students and will continue to do so. Master Builders ACT is intending to run attraction campaigns and programs, in addition to the Women in Civil program, throughout 2023 and beyond. This includes a Women in Trades program and a Trade Starter program. Master Builders ACT team members and industry participants regularly attend high schools and careers expos, promoting the value of careers in construction.

Master Builders ACT is a supporter of Women Building Australia, a joint program between Master Builders Australia and the Australian Government, which promotes opportunities for women and

employers, and provides the information and support required to advance the employment of women in the building and construction industry. There are also registered charities such as Build Like A Girl, founded by Jo Farrell, which is an organisation run by women who want to help more women become tradies. In 2018, Master Builders launched our Women in Construction program, a series of networking events, learning sessions and development opportunities for women working in construction. These events are primarily addressed at women working in non-trade roles in construction businesses, however, we have seen attendance grow exponentially and provide opportunities for women of all trade and non-trade backgrounds to attend, network, and feel like they belong to our industry.

Earlier this year, Master Builders ACT was proud to be present at the auction of the Strathnairn Charity House, a collaboration between our organisation, Hands Across Canberra and Ginninderry to build a charity house by women, for women, and sold by women. This initiative raised the profile of women working in trade roles, with their contribution being recognised over the duration of the build, including a cameo on Sunrise (Channel 7).

These important programs and continued efforts will continue throughout this year and beyond. However, it must be noted that these programs are often run by industry associations or coordinated by individuals who volunteer their time. These programs are also targeted at adult women (or women about to leave school), who are likely to have already formed certain societal views and expectations about their career choices. As reiterated throughout this response, it is vital that in order to achieve real change and increase the participation of women in our industry, there needs to be genuine change of societal expectations about what career choices are available to boys and girls, and this starts at school and with parents.

Co-Design Opportunities

The Discussion Paper identifies four opportunities to “co-design” the procurement policy: scope, targets and measures, application to procurement, and implementation. Each of these areas is addressed below.

Scope

Master Builders ACT considers that any threshold value should be greater than the \$5m threshold proposed, with a threshold closer to that implemented by the Victorian Government considered to be more appropriate. A \$5m contract threshold is quite low, and as referenced, means any policy would apply to almost half of ACT Government procurements. The resources required for both industry and the ACT Government to implement a policy at this level is disproportionate to the benefits received. Master Builders ACT considers that any procurement policy should be equally applicable to all construction work.

Targets and Measures

Master Builders ACT acknowledges that women fulfill a higher percentage of administrative roles in construction companies; however, it must be reiterated and celebrated that these women are

indeed working in construction and their roles and contribution to our industry should not be diminished simply because they are not working in a trade or labouring role. Too often we speak with women in our industry who feel lost, undervalued or forgotten by the industry as a whole because they are working in administrative positions. It was this feedback that led to the creation of the Master Builders ACT Women in Construction group several years ago, which encourages women to network, see, and value themselves as part of the building and construction industry. The ACT Government should ensure that its rhetoric around attracting more women to the industry does not diminish the very important and valuable contribution that these women continue to make.

More can be done to attract young girls and women to trade and leadership roles. In terms of leadership roles, this will (hopefully) improve over time with more and more women joining the industry at entry-level positions and progressing with promotions. In terms of trade positions, as referred to above, this requires not just a targeted action campaign from industry, employers and the ACT Government to be successful, but also a change in societal expectations and norms from parents, teachers and careers advisors that promotes and makes it acceptable (and normal) for a young girl to be interested in a career on the tools in construction. The Discussion Paper does not provide any empirical evidence on whether this is genuinely changing and therefore we recommend that further work and investigation should be undertaken before any targets and/or measures are imposed on ACT building and construction companies.

Our understanding of the targets outlined in the Discussion Paper is that an organisation would select either a **Contract** or an **Organisational** target. Further clarification on when a company needs to select which target, they are complying with would be appreciated, as well as whether there is any benefit (or detriment) to a company who only achieves the targets in one way compared to another. Master Builders ACT has significant concerns about the targets recommended in the Discussion Paper, as they are significantly higher than the Australian construction workforce targets listed (also in the Discussion Paper) and the current ABS released data on the proportion of women employed in the ACT building and construction industry. In addition, we make the following comments on this section:

- Targets should be on a headcount basis and not hours. Women are more likely to work part-time than men. Women are more likely to require flexible working arrangements due to their role as the primary caregiver, more often than not, and therefore not being able to work outside traditional early education or school hours. Therefore, headcount is more appropriate to gauge a true indication of how many women are engaged by a company or on a specific project.
- There are significant practical challenges for contractors in achieving the targets referred to in the Discussion Paper. Attracting people to the industry is difficult, especially with a low unemployment rate. The pipeline of women simply wanting to enter the industry for wholistic and genuine reasons (not just because someone offers them an obscene amount of money), does not exist. Changing that mindset is not going to happen immediately and therefore further work needs to be done by the ACT Government, in collaboration with industry, to get more young people interested.
- To require ACT companies to have 25% women in managerial positions when across Australia, women only make up 13% of those positions is nonsensical. There also needs to be an understanding that if women are coming in as apprentices and other entry-level positions, it is going to take time for them to be promoted into managerial positions. It does not happen overnight, and nor should it.

- When women only make up 28% of all apprenticeships and trainee positions in Australia across all industries, a target of 20% of all apprentices in building and construction industry, seems disproportionately high and needs to be reconsidered. The apprentice target should apply to all procurements if the general level is raised to \$20m (as per the Victorian model).
- Further clarification on what “non-trade Construction Award labour positions” means would be appreciated. It is our recommendation to make any targets (whether imposed or aspirational) as simple as possible and therefore limit them to trade and management objectives.
- The choice between contract and organisational targets is good and does provide some flexibility, however, the targets imposed will be impossible to achieve with the current state of the industry.

Application to procurement

Master Builders ACT supports any policy being implemented as an assessable criterion as part of a tender process. Rather than any procurement policy being tokenistic, we encourage the ACT Government to consider things such as workforce turnover, genuine engagement by companies in what they do to promote more women coming into their business (such as participation in the Women in Civil programs), rather than simply meeting a specified number target. Suppliers should be able to commit to achieving targets over the life of a project rather than meeting them at the time of the tender; however, this needs to be monitored by the ACT Government and the reality of whether a supplier will meet targets (when compared with their current levels of female employment) genuinely considered if this is to be a weighted criterion. Consideration should also be given to what consequences would flow, if any, if the supplier did not meet certain criteria they promised to achieve.

In terms of implementation and reporting requirements, any compliance reporting should be included in regular reports back to the ACT Government that would happen now with procurement values and other responsibilities. Additional reporting requirements is not supported by Master Builders ACT. As outlined above, the biggest issue with the proposed policy and targets is not the willingness of companies to employ more women; it is that women and young girls, as a generalisation, are yet to see the value and attraction of the industry. To ensure that there are not tokenistic appointments and that the employees genuinely want to be there, a societal change needs to take place. This cannot be achieved simply by offering large sums of money, as most of the ACT building and construction companies are small and family businesses who simply cannot afford to do so.

Implementation

Providing any less than 12 months’ time to implement such a policy is inappropriate and will only lead to poor outcomes. Noting the timeframes proposed in the paper, a little over six months is well short of what should be considered “sufficient time”. Whilst it is absolutely appropriate and possible for a business to be able to implement policies in that time, policies alone do not guarantee that women will want to come and work in the industry. The greatest barrier that all employers have is attracting women to the industry in the first place. This will take more than six months to address. Any targets or quotas should not commence implementation prior to 1 July 2026.

Summary

Any policy or program that seeks to improve the level of participation of women in our industry is welcomed. However, Master Builders ACT considers that there is a lot more work to do before a target can be used by the ACT Government to determine who is awarded work and who is not. Before a target criterion is imposed, the ACT Government, in collaboration with industry, needs to commit significant and additional funds to genuinely attract more women to building and construction. This should include, at a minimum, two separate campaigns: one to show young girls that are still at school, that a career in construction is a rewarding and profitable career choice, and the other is to women already employed in another industry (or perhaps returning to work after having children, although for reasons outlined above, the lack of flexibility afforded by construction does not lend itself well to that).

The industry has come a long way in a short period of time. There is still more work to do in order to ensure that women are also reaping the rewards that the building and construction industry can offer them; the industry knows the benefits that having a diverse and inclusive workforce offers to us, we just need to make sure that women are aware of the possibilities and opportunities for them. This requires a long, extensive and ongoing campaign from industry and the ACT Government, which cannot be done overnight. Master Builders ACT is excited about the opportunities ahead and looks forward to continuing to work with ACT Government on these initiatives.

Yours sincerely

Sch 2.2(a)(ii)

Master Builders ACT

Annexure

These tables are produced by Master Builders Australia from analysis of ABS and NCVER data.

Female workforce by industry sector, and employment type, ACT & Aus, February 2023						
	ACT			AUS		
	All	Female	%F	All	Female	%F
All workers						
30. Building Construction	5,686	1,119	19.7%	335,813	60,889	18.1%
31. Heavy and Civil Engineering Constr	467	273	58.3%	144,056	20,302	14.1%
32. Construction Services	10,451	1,240	11.9%	837,395	94,009	11.2%
TOTAL	16,604	2,631	15.8%	1,317,263	175,201	13.3%
Full time workers						
30. Building Construction	4,982	756	15.2%	291,845	42,672	14.6%
31. Heavy and Civil Engineering Constr	195	no data	-	134,145	14,756	11.0%
32. Construction Services	10,334	1,240	12.0%	719,986	56,957	7.9%
TOTAL	15,510	1,996	12.9%	1,145,977	114,384	10.0%
Part time workers						
30. Building Construction	704	362	51.4%	43,967	18,218	41.4%
31. Heavy and Civil Engineering Constr	273	no data	-	9,911	5,546	56.0%
32. Construction Services	117	no data	-	117,408	37,052	31.6%
TOTAL	1,094	635	58.0%	171,287	60,816	35.5%
Construction workforce by occupation group and gender, Australia, February 2023						
Feb-23	All workers	%	Males	%M	Females	%F
Managers	150,257	11%	131,247	87%	19,010	13%
Professionals	77,511	6%	59,841	77%	17,670	23%
Technicians & Trades	650,217	49%	624,998	96%	25,218	3.9%
Administration	119,191	9%	21,545	18%	97,645	82%
Machinery Operators	96,338	7%	93,258	97%	3,080	3%
Labourers	210,794	16%	202,856	96%	7,938	4%
All*	1,318,252	100%	1,142,704	87%	175,549	13.3%

Construction workforce ('000) by gender, Australian and ACT																					
	Feb-2003	Feb-2004	Feb-2005	Feb-2006	Feb-2007	Feb-2008	Feb-2009	Feb-2010	Feb-2011	Feb-2012	Feb-2013	Feb-2014	Feb-2015	Feb-2016	Feb-2017	Feb-2018	Feb-2019	Feb-2020	Feb-2021	Feb-2022	Feb-2023
Males																					
Australia	643.0	670.0	734.2	780.3	839.0	875.1	879.6	872.5	889.8	887.4	887.2	907.1	898.5	925.3	970.3	1047.0	1023.9	1038.5	998.2	1020.1	1142.7
Australian Capital Territory	8.9	9.1	10.1	10.1	11.8	13.8	9.3	12.3	14.9	13.6	14.0	11.4	14.8	13.4	12.1	14.8	16.6	17.5	15.0	12.1	14.0
Females																					
Australia	105.6	89.0	102.0	104.7	111.3	117.8	115.1	116.9	108.8	116.9	127.3	125.8	116.6	123.3	138.3	150.4	125.5	147.2	155.8	151.8	175.5
Australian Capital Territory	1.4	1.1	1.1	1.4	1.6	1.9	1.3	0.5	1.0	0.9	1.3	2.0	2.3	0.9	2.0	0.5	1.8	2.5	1.2	0.5	2.6
% Females																					
Australia	14.1%	11.7%	12.2%	11.8%	11.7%	11.9%	11.6%	11.8%	10.9%	11.6%	12.6%	12.2%	11.5%	11.8%	12.5%	12.6%	10.9%	12.4%	13.5%	13.0%	13.3%
Australian Capital Territory	13.8%	10.8%	10.1%	12.6%	11.7%	12.0%	12.5%	4.2%	6.1%	6.2%	8.2%	14.9%	13.3%	6.5%	14.0%	3.3%	9.8%	12.4%	7.4%	4.1%	15.8%
Construction workforce ('000) in Australia, by occupation group and gender																					
	Feb-2003	Feb-2004	Feb-2005	Feb-2006	Feb-2007	Feb-2008	Feb-2009	Feb-2010	Feb-2011	Feb-2012	Feb-2013	Feb-2014	Feb-2015	Feb-2016	Feb-2017	Feb-2018	Feb-2019	Feb-2020	Feb-2021	Feb-2022	Feb-2023
Males																					
Managers	59.0	57.9	66.9	81.8	73.5	83.8	104.1	97.2	92.2	95.4	71.2	101.7	103.9	103.2	103.5	102.5	88.3	121.2	127.0	125.9	131.2
Professionals	18.4	17.0	19.6	18.1	24.5	21.7	30.1	30.8	30.0	29.3	31.1	33.2	26.2	29.7	39.8	44.9	47.6	42.3	45.5	59.8	
Technicians and Trades Workers	382.0	398.7	422.9	452.6	473.4	522.6	493.4	493.5	526.5	497.6	525.4	510.6	525.7	549.1	555.2	605.8	597.9	564.8	546.5	586.1	625.0
Community and Personal Service Workers	0.9	0.1	1.7	0.4	2.5	0.5	0.0	0.0	0.8	0.1	0.3	2.5	0.3	0.4	0.8	1.1	0.6	0.2	0.7	0.6	2.0
Clerical and Administrative Workers	9.6	10.8	14.4	14.7	18.6	18.9	13.3	15.8	14.5	22.8	15.4	11.1	17.4	19.8	18.5	19.7	19.9	23.0	25.1	18.9	21.5
Sales Workers	4.1	4.1	7.1	4.9	4.4	6.4	4.6	3.3	6.0	5.1	5.1	8.9	5.6	6.1	8.3	6.6	6.1	8.7	7.4	8.8	7.0
Machinery Operators and Drivers	57.3	52.9	64.0	66.6	79.4	70.8	72.2	75.5	59.6	74.2	82.3	84.9	69.6	66.8	74.9	80.6	86.5	85.4	86.8	75.4	93.3
Labourers	111.7	128.4	137.5	141.0	162.6	150.5	161.8	156.3	160.1	162.1	158.2	156.4	142.9	153.7	179.3	190.8	179.8	187.5	162.4	159.0	202.9
TOTAL	643.0	670.0	734.2	780.3	839.0	875.1	879.6	872.5	889.8	887.4	887.2	907.1	898.5	925.3	970.3	1047.0	1023.9	1038.5	998.2	1020.1	1142.7
Females																					
Managers	3.4	2.7	6.1	4.9	3.6	3.7	8.6	5.9	9.3	6.4	7.7	14.3	13.4	12.6	10.4	10.8	13.2	12.8	16.1	22.7	19.0
Professionals	5.2	2.2	6.0	6.9	7.9	7.5	7.8	10.0	9.1	9.0	8.2	8.8	9.7	9.8	9.2	16.6	8.4	12.3	19.5	15.9	17.7
Technicians and Trades Workers	6.5	6.4	6.2	5.6	8.8	7.0	6.0	11.4	9.8	9.8	6.1	8.6	7.9	9.5	12.4	14.9	13.1	8.4	13.2	14.7	25.2
Community and Personal Service Workers	0.5	0.3	0.8	0.5	0.2	0.2	0.0	0.4	0.1	0.0	0.4	0.4	0.0	0.0	1.1	1.0	0.6	0.0	0.1	0.0	1.0
Clerical and Administrative Workers	80.7	68.7	77.5	80.4	81.0	91.9	82.5	80.7	74.2	81.6	97.0	85.2	77.7	85.6	94.6	95.9	80.1	99.5	93.0	85.7	97.6
Sales Workers	3.3	1.6	2.0	2.0	1.6	2.6	3.0	2.1	1.1	2.5	1.4	2.8	4.8	3.0	3.8	3.6	1.6	6.3	5.1	2.8	4.0
Machinery Operators and Drivers	1.0	0.8	0.1	1.2	1.8	0.8	1.6	1.3	1.3	1.9	1.6	0.8	1.1	0.0	1.3	1.7	2.5	0.6	1.2	2.4	3.1
Labourers	4.9	6.3	3.4	3.3	6.5	4.0	5.6	5.1	3.9	5.7	5.0	4.9	2.1	2.9	5.5	5.9	6.0	7.3	7.7	7.6	7.9
TOTAL	105.6	89.0	102.0	104.7	111.3	117.8	115.1	116.9	108.8	116.9	127.3	125.8	116.6	123.3	138.3	150.4	125.5	147.2	155.8	151.8	175.5
% Females																					
Managers	5.5%	4.4%	8.3%	5.6%	4.6%	4.3%	7.6%	5.7%	9.2%	6.3%	9.8%	12.3%	11.4%	10.9%	9.1%	9.5%	13.0%	9.6%	11.2%	15.3%	12.7%
Professionals	22.1%	11.6%	23.4%	27.5%	24.4%	25.8%	20.5%	24.5%	23.2%	23.1%	21.8%	22.0%	22.6%	27.2%	23.7%	29.4%	15.8%	20.5%	31.5%	26.0%	22.8%
Technicians and Trades Workers	1.7%	1.6%	1.4%	1.2%	1.8%	1.3%	1.2%	2.2%	1.8%	1.9%	1.1%	1.7%	1.5%	1.7%	2.2%	2.4%	2.1%	1.5%	2.4%	2.4%	3.9%
Community and Personal Service Workers	37.2%	66.1%	30.7%	51.8%	6.5%	32.3%	#DIV/0!	100.0%	13.5%	0.0%	52.0%	14.8%	0.0%	0.0%	56.9%	47.1%	47.7%	0.0%	12.7%	0.0%	34.2%
Clerical and Administrative Workers	89.4%	86.4%	84.3%	84.5%	81.3%	83.0%	86.1%	83.6%	83.7%	78.1%	86.3%	88.4%	81.7%	81.2%	83.6%	83.0%	80.1%	81.2%	78.8%	81.9%	81.9%
Sales Workers	44.5%	27.6%	21.9%	28.6%	26.6%	29.0%	39.4%	38.9%	15.4%	32.8%	21.8%	24.0%	46.1%	33.2%	31.2%	35.2%	21.4%	41.8%	40.9%	24.4%	36.2%
Machinery Operators and Drivers	1.7%	1.4%	0.1%	1.8%	2.2%	1.1%	2.1%	1.7%	2.1%	2.5%	1.9%	0.9%	1.5%	0.0%	1.8%	2.1%	2.8%	0.7%	1.3%	3.0%	3.2%
Labourers	4.2%	4.7%	2.4%	2.3%	3.8%	2.6%	3.3%	3.1%	2.4%	3.4%	3.1%	3.1%	1.4%	1.8%	3.0%	3.0%	3.3%	3.7%	4.5%	4.5%	3.8%
TOTAL	14.1%	11.7%	12.2%	11.8%	11.7%	11.9%	11.6%	11.8%	10.9%	11.6%	12.6%	12.2%	11.5%	11.8%	12.5%	12.6%	10.9%	12.4%	13.5%	13.0%	13.3%

Percentage female apprentices and trainees by trade status and contract status, ACT & Aus			2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	
In-training, Jul-Sep each year	ACT	Non-trade	11.8%	31.3%	30.4%	33.9%	28.7%	19.8%	16.7%	19.6%	16.0%	26.9%	13.0%	17.1%	26.2%	11.7%	14.4%	13.7%	14.4%	12.7%	14.5%	18.4%	
		Trade	0.8%	1.0%	0.7%	1.0%	1.1%	1.0%	0.8%	1.0%	1.1%	1.1%	1.1%	1.0%	1.2%	1.7%	1.4%	1.9%	2.5%	2.9%	3.2%	4.2%	4.7%
		All	2.9%	3.1%	3.8%	3.3%	3.4%	2.4%	2.1%	2.2%	2.1%	3.2%	2.5%	2.5%	2.8%	2.5%	3.2%	3.9%	4.0%	4.1%	4.9%	5.8%	
	AUS	Non-trade	42.3%	42.7%	40.3%	37.9%	36.6%	30.4%	31.6%	34.1%	35.9%	34.7%	34.0%	28.3%	22.3%	21.5%	18.1%	18.6%	18.8%	18.5%	24.9%	26.2%	
		Trade	1.9%	1.2%	1.1%	1.1%	1.2%	1.2%	1.4%	1.4%	1.3%	1.5%	1.6%	1.6%	1.8%	1.7%	1.6%	1.8%	2.0%	2.2%	2.8%	3.4%	
		All	12.2%	9.4%	7.5%	6.7%	5.5%	4.1%	4.3%	4.5%	4.7%	5.1%	4.1%	3.1%	3.0%	2.8%	2.6%	2.7%	2.8%	3.1%	4.4%	5.2%	
Commencements, year to Sept each year	ACT	Non-trade	13.8%	27.2%	36.1%	37.3%	27.2%	22.8%	20.9%	16.9%	17.6%	32.6%	7.8%	23.9%	21.6%	8.8%	20.6%	17.1%	20.2%	22.9%	13.4%	26.2%	
		Trade	1.3%	0.7%	0.7%	1.4%	1.1%	1.0%	0.9%	1.4%	2.0%	1.2%	1.0%	1.3%	2.1%	1.6%	2.0%	3.4%	3.3%	3.5%	5.0%	5.5%	
		All	6.0%	6.6%	9.1%	6.0%	5.7%	4.5%	4.2%	3.0%	4.3%	6.4%	2.5%	2.6%	3.2%	3.0%	4.0%	5.3%	5.2%	5.5%	5.8%	7.3%	
	AUS	Non-trade	44.7%	44.6%	40.2%	39.5%	38.9%	32.6%	35.0%	37.6%	37.8%	36.0%	31.6%	26.7%	20.6%	23.1%	19.5%	23.2%	23.5%	21.8%	29.7%	31.5%	
		Trade	3.0%	1.4%	1.5%	1.5%	1.6%	1.6%	2.0%	1.4%	1.7%	2.0%	2.3%	1.9%	2.2%	2.0%	2.2%	2.4%	2.7%	3.1%	4.0%	4.7%	
		All	20.8%	14.1%	12.8%	13.2%	10.1%	7.2%	9.0%	8.1%	8.3%	9.4%	5.9%	4.1%	4.2%	4.2%	4.3%	4.6%	4.7%	5.3%	7.5%	8.3%	
Female apprentices and trainees by trade status and contract status, ACT & Aus																							
			2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	
In-training, Jul-Sep each year	ACT	Non-trade	13	15	24	21	25	17	16	18	17	36	30	24	16	18	24	31	28	22	23	31	
		Trade	4	6	5	9	11	10	9	12	16	17	17	20	22	17	27	42	52	60	86	97	
		All	17	21	29	30	36	27	25	30	33	53	47	44	38	35	51	73	80	82	109	128	
	AUS	Non-trade	5,114	4,227	3,666	3,591	3,054	2,170	2,178	2,625	2,824	3,035	2,074	1,263	1,051	968	924	941	883	905	2,090	2,583	
		Trade	678	504	538	603	731	826	909	978	993	1,037	1,212	1,135	1,301	1,308	1,308	1,480	1,683	1,890	2,946	3,773	
		All	5,792	4,731	4,204	4,194	3,785	2,996	3,087	3,603	3,817	4,072	3,286	2,398	2,352	2,276	2,232	2,421	2,566	2,795	5,036	6,355	
Commencements, year to Sept each year	ACT	Non-trade	20	22	30	19	22	18	14	10	16	28	12	11	8	15	22	26	25	22	17	33	
		Trade	3	2	2	5	4	4	3	7	10	5	5	9	12	11	17	34	32	29	60	70	
		All	23	24	32	24	26	22	17	17	26	33	17	20	20	26	39	60	57	51	77	103	
	AUS	Non-trade	4,824	3,244	3,142	3,561	2,730	1,878	1,952	2,488	2,486	2,648	1,399	809	873	821	827	908	782	761	2,313	2,355	
		Trade	442	236	283	298	375	419	414	414	492	530	727	575	781	631	658	777	835	826	1,945	2,220	
		All	5,266	3,480	3,425	3,859	3,105	2,297	2,366	2,902	2,978	3,178	2,126	1,384	1,654	1,452	1,485	1,685	1,617	1,587	4,258	4,576	

Apprentices and trainees in training, Jul-Sep 2022 by trade status													
		Building Construction	Civil Infrastructure	Construction services	All construction	Building Construction	Civil Infrastructure	Construction services	All construction	Building Construction	Civil Infrastructure	Construction services	All construction
		Non-trade				Trade				Total			
ACT	Male	13	75	49	137	135	14	1,801	1,950	148	89	1,850	2,087
	Female	13	5	13	31	4	2	91	97	17	7	104	128
	%F	50.0%	5.9%	21.2%	18.4%	2.7%	11.8%	4.8%	4.7%	10.2%	6.9%	5.3%	5.8%
AUSTRALIA	Male	720	2,608	3,964	7,292	14,498	2,181	91,132	107,812	15,218	4,789	95,096	115,104
	Female	418	448	1,716	2,583	538	164	3,070	3,773	957	612	4,786	6,355
	%F	36.7%	14.7%	30.2%	26.2%	3.6%	7.0%	3.3%	3.4%	5.9%	11.3%	4.8%	5.2%

Registering for the Virtual Session Women In Construction

<u>First Name</u>	<u>Last Name</u>	<u>Organisation</u>	<u>Email</u>	<u>Tell us what aspects of the proposed changes you are most interested in?</u>	<u>Do you have a question relating to the proposed changes?</u>	<u>date received</u>
Sch 2.2(a)(xi), Sch 2.2(a)(xii)				n/a	n/a	31/03/2023
				Applying the policy (e.g. mandatory minimum requirements)		
				Targets		
				Dollar thresholds and categories of procurement	n/a	31/03/2023
				Applying the policy (e.g. mandatory minimum requirements)	n/a	04/04/2023
				Applying the policy (e.g. mandatory minimum requirements)		
				Dollar thresholds and categories of procurement	Why does only one of the options have non-trade targets -surely both should specify non trade targets	14/04/2023
				Targets		
				Applying the policy (e.g. mandatory minimum requirements)	n/a	14/04/2023
					What strategies do you suggest organizations implement to attract female workers in formwork and other physically demanding trades, given the current challenge of attracting candidates in general?	14/04/2023
				Applying the policy (e.g. mandatory minimum requirements)		
				Sch 2.2(a)(xi) ; Sch 2.2(a)(xii)		

Women in Construction Survey

Issue identification

IR#	Respondent to Relationship to Issue	Proposed thresholds (too high/about right/ too low)	Issues / Feedback on Proposed \$5mil threshold	Issues/Feedback on Diversity targets	Issues/Feedback on Embedding Policy Requirements in the Procurement process	Issues/ Feedback on Reporting and Monitoring Framework	Feedback on supporting tools / resources
1	prefer not to say	Too low	n/a	Respondent did not agree to having targets to the % of women in the construction workforce.	Respondent did not agree to having mandatory minimum requirements for participation and alternative evaluation methods.	Respondent did not agree to having reporting requirements, stating it would cost the max amount from the options provided in reporting burden. Cost of compliance: \$100,001+	n/a
2	Trade union representative	About right	n/a	Stated a target of 10% is feasible for the overall percentage of women in the workforce when policy commences. Challenges to achieving these targets: "Limited number of experienced women in the industry. Providing paid parental/maternity leave an additional cost burden. Low number of women enrolled in trade and construction related courses."	Recommendation on mandatory min. requirements: Instead of a mandatory minimum requirement for participation in construction procurement, it's more feasible to have an assessment approach.	Challenges with monitoring measures: "Workload impost which will likely fall on women. For longer projects, this could be exploited." Cost of compliance: n/a	Recommended creating HR advice
3	prefer not to say	Too low	Recommendation: "Value doesn't increase with inflation. Should be based on other measure such as number of employees"	Stated a target of 20% is feasible for the overall percentage of women in the workforce when policy commences. Challenges to achieving targets: "Limited number of experienced women in the industry. Cost of compliance. Safety factors relating to not getting the best for the job."	Recommendation for mandatory minimum requirements: "No. Women could artificially demand more pay based on the requirement, this would result in unequal pay" Recommendation for evaluation methods: "Women should be pushed to pursue career and blockers to participation removed. Quotas are the wrong tool"	Challenges with implementing proposed monitoring measures: "Gender fluidity". Cost to compliance: \$1 - \$1,000.	Recommended "gender identification" material.
4	SME Business in the construction industry with less than 200 employees	not sure	Comment: we do not agree with having gender-based employment targets, if women want to choose a construction pathway they will and they should be encouraged to do so but if they don't want to work in construction what do you do? You can't make them... Employment targets may work well in the public service and other companies where you can choose from a broad pool of people, construction do not have that broad pool of people to select from. "we don't agree with mandatory targets for employing people - we employ the right person for the job"	Respondent did not agree to having targets to the % of women in the construction workforce, except for a 1% of women in labour roles target. Challenges to achieving targets: "Low number of women enrolled in trade and construction related courses Limited number of experienced women in the industry Attracting, recruiting and retaining women in the organisation"	Comment for mandatory minimum requirements: "gender based targets are unrealistic in construction as previously noted, we did have a female tradesman who did her apprenticeship with us and she was fantastic but we have never had any interest from any other females, once again how do you make someone do something that they don't want to do..." Comment for alternative evaluation methods: "some construction trades like electricians/chippies are more appealing to women than other trades like concreting/plumbing/roofing - if gender based targets are brought in this will not be fair across the whole of construction and it will make it harder on us to comply. We believe in employing the right person for the job who can do the job - it is discriminatory to have to employ on gender"	Challenges with implementing monitoring measures: "more & more paperwork and finding time to do it while running a small business" Cost to compliance: \$1,001 - \$25,000. Comment on the challenges for small businesses: "the amount of paperwork that is required at the moment to submit a tender to the ACT Govt is onerous, panels require more & more information and evidence from us but they do not understand the imposition of this on small business and the fact that we have to increase our pricing to reflect the extra paperwork - we are a small family business trying to run a business and make a dollar but we are getting bogged down in paperwork - if we don't keep our business running our employees will not have a job - this is completely the opposite for public servants who will never lose their job"	Recommended no tools. Comment: "we don't agree - if women want to work in construction they will but you can't make them the same goes for men - if they want to work in traditionally female trades like hairdressing or nursing they will but if they don't want to they won't There's no point wasting more money on tools and resources when we don't need gender equality we just need the right person who is trained to do the job"

5	Trade role in the construction industry	not sure	n/a	<p>Challenges to achieving targets: "Attracting, recruiting and retaining women in the organisation Limited number of experienced women in the industry Poor cultures that don't attract or retain women"</p>	<p>Recommendation on mandatory min. requirements: "Both. Have a bare minimum mandatory target and then score on top of this." Recommendation on alternative evaluation methods: "You should contact SALT for input. Supporting and Linking Tradeswomen."</p>	<p>Challenges with implementing monitoring measures: "Cost and resources but businesses should account for this when tendering. It's a reasonable thing to ask for." Cost of compliance: n/a</p>	<p>Recommendation: "A simple one page factsheet that outlines the overall benefits of a diverse workforce in general with some specifics about women and girls. (What's in it for the business) Perhaps even a factsheet about the positive impact of advancing women and girls in the construction industry (what's in it for the women)"</p>
6	Territory Contract Manager	too low	<p>Comment: "\$10m initially with an option to reduce as required once implemented. The initial implementation will be a shock to the supply of female labour and lead to increased construction costs until such time as the pipelines to provide female labour are improved - which will be led by the large contractors. Following the recent increase in construction costs due to inflation the percentage of government projects over the \$5m proposed threshold will be higher than anticipated."</p>	<p>Challenges to achieving targets: "Low number of women enrolled in trade and construction related courses Limited number of experienced women in the industry Cost of compliance"</p>	<p>Comment on mandatory min. requirements: "No. A Mandatory Procurement Participation Assessment criteria prior to the work being contracted, will lead to a single sentence response confirming that the company will meet the target. Which will be assessed as a Yes/No by the Evaluation team. This won't support a detailed nuanced assessment of the response and the supporting plans which go into describing how a contractor plans to complete a job. Setting Mandatory Participation Targets for women in Construction is already assessed in procurements as part of the Detailed Implementation Plan for Local Industry Participation." Recommendation of alternative eval. methods: "Yes. Assess as part of the Detailed Implementation Plan for Local Industry Participation. Let the procurement officer set an appropriate target for the project taking into account the construction project requirements and industry capabilities to set reasonable targets - to be included as part of the contract for Women in Construction Participation. This can include Management, Trade, Engineering or other targets."</p>	<p>Challenges with implementing monitoring: "Monitoring implementation via % of work hours is a burden on contractors, as sites will have over 100 people per day on site undertaking works. Head contractors should be able to nominate the number of females to be on site positions and off site positions. Trade contractors should be able to nominate the number of female workers employed as part of the contract (to undertake on site works or offsite works) to make up the percentage required. All companies should report on the percentage of female apprentices and trainees on site." "The monitoring and compliance would require the hiring of additional full time staff." recommendation on existing reporting to reduce burden: "The ACT Secure Local Jobs Team - Labour Relations and Training already monitor against contractor Detailed Implementation Plan promises on construction tenders." Cost to org.: \$100,001+</p>	<p>Recommendation on guiding material: "How companies are helping to grow the pipe for female talent coming into the industry. Examples of how to set targets as part of a tender submission and report throughout the project."</p>
7	I work in a non-SME business in the construction industry, a non-trade labour role in the construction industry	About right		<p>Challenges to achieving targets: "Limited number of experienced women in the industry Attracting, recruiting and retaining women in the organisation Difficulty in allocating resources when delivering Government projects"</p>	<p>Comment on Mandatory Min requirements: "Yes." Recommendation of alternative eval. Methods: "Have to be able to retain women already in the industry , same opportunities, regardless of how many men on site capable to do the job. Development of skills of females or you will lose them"</p>	<p>Challenges with Implementing monitoring: "Businesses only hiring females to look good or to tick a box and lack of actual retaining these females with a lack of development of skills" Cost to org. to comply: "\$1,001-\$25,000", Assumptions: "Development of skills for labour positions"</p>	<p>Recommendation on guiding material: "Development of skills for labour positions"</p>

8	I work in a non-SME business in the construction industry, I work in a manager, supervisor or specialist role in the construction industry	Too low	\$10m threshold. This will allow smaller businesses to competitively tender and a more sustained approach to recruiting in a more gender equitable manner. There is a fear that businesses will start to 'poach' female staff to achieve their own gender targets/ requirements which would be detrimental.	Challenges in achieving targets: "Limited number of experienced women in the industry Potential job poaching Low number of women enrolled in trade and construction related courses"	Mandatory min. requirement: "Yes" Recommendations for alternative evaluation methods: "Would the Territory encourage businesses to contribute in encouraging women INTO the industry as an alternative? i.e. by supporting NAWIC/ ACT Gov/ SPARK initiatives to attract and retain women in the industry. There is a need to work on developing a supply of women in the industry, they are not necessarily already available and working in the Territory. This could be a way of supporting gender equity in a sustained way."	Challenges to implementing monitoring: "Lack of qualified females in the industry at present Job poaching Childcare should be considered a parental issue not a maternal one" Cost to org.: \$0, "No cost, this would be included in our monthly reporting"	Recommendation on guidance material: "Clarity on targets/ requirements Guide on what industry initiatives (e.g. SPARK, NAWIC ACT, Build Like a Girl etc.) are available which organisations could work with/ collaborate/ support to achieve procurement initiatives. Government funding to support career progression for trainees/ existing staff - this would help with staff retention and professional development."
9	I work in a SME Business in the construction industry with less than 200 employees, I work in a manager, supervisor or specialist role in the construction industry	About right		Diversity targets they aspire to achieve: "50/50 for cadet roles. 30% Overall (we are a Principal Contractor)" Challenges in achieving targets: "Attracting, recruiting and retaining women in the organisation Low number of women enrolled in trade and construction related courses Attracting women to the industry, particularly trade roles."	Comment on the mandatory min. requirement: "An assessment approach, but more heavily weighted to aiming or achieving trade targets." Recommendations for alternative evaluation methods: "Perhaps evaluating sub-contractors participation in industry schemes that attract and retain new women workers. Tough to evaluate, but attracting (particularly young people) to trade roles has to start as early as primary school. There are few initiatives that provide this and there is room for the industry to do so."	Challenges with implementing monitoring: "Retention of women in trade roles and apprenticeships (large drop out rate and transient workforce)"	Recommendation on guidance material: "A support person as a resource on-going to sub-contractors hiring women. Maybe similar to the workplace visit service that some WHS regulators provide."
10	I dont work in the construction industry but I care about empowering all people	About right		Low number of women enrolled in trade and construction related courses Attracting, recruiting and retaining women in the organisation Limited number of experienced women in the industry	WGEA Free fee training Apprenticeships - bonuses for hiring women and seeing them complete and succeed.	Already complete these reports so not additional work is required	support starts now - the children starting school now need to know these options are available and encouraged Use webinars and Career Expos
11	I work in a manager, supervisor or specialist role in the construction industry	About right		Current Targets within their organisation: 25% board level 10% apprentices 20% management 40% overall workforce composition	If it's not a contractual requirement it wont happen and cant be enforced. Non-compliance penalties?	Managerial targets will be harder to achieve. Have to start from the bottom and grow people into these roles. Takes time when there is only low numbers of women currently in industry. Easier to achieve apprentice targets and cadets Assumptions when there is a cost to the building industry: 1. Tender submission - unpacking risks and opportunities, pricing from subcontractors and suppliers that meet the targets 2. Project planning - trade letting, subcontractor support to meet targets, community engagement, draft a project plan 3. Implement project plan - employment & training needs, mentoring & support of women and site team 4. Data collection and Reporting	List of female owned and operated businesses

Women in Construction - Quantitative data register

Relationship to the Issue							Organisational / Industry composition of women in construction						Proposed target of composition of women in construction					
IR#	Age	Gender	Role in construction industry	No. of years tendering/sub-contracting experience w/ACT govt.	\$5mill threshold reasonable?	Do you currently have any gender targets for your industry/business? (y/n)	Estimated No. total of employees from Canberra-based, full time equivalent workforce	Total % of women within your org.	% of women in trade roles	% of women in labour roles	% of women in management roles	% of women in apprentice/trainee roles	The Policy is expected to commence from 1 July 2024. What targets do you propose are feasible for the industry by this time?	% of women in trade roles [is expected in the policy]	% of women in labour roles [is expected in the policy]	% of women in management roles [is expected in the policy]	% of women in apprentice/trainee roles [is expected in the policy]	Are there employment diversity targets set by industry organisations/peak bodies that you aspire to achieve or are already achieving? (yes/no)
1	45-54	Male		n/a	Too low	No	10,000	50	50	50	50	50	0	0	0	0	0	0 No
2	25-34	Female	I represent a trade union	n/a	About right	n/a	14	64	0	0	50	0	10	1	3	10	20	Not sure
3	35-44	Prefer not to say	Prefer not to say	n/a	Too low	Prefer not to say	3,500	60	0	0	60	40	20	10	10	20	30	No
4	45-54	Female	manager, supervisor or specialist role in the construction industry	11-20 years	Not sure	No	20	0.2	0	0	1	0	0	0	0	1	0	No
5	35-44	Female	Trade role in the construction industry	n/a	I'm not sure	no	10	10	10	0	0	n/a	n/a	n/a	n/a	n/a	n/a	No
6	35-44	Prefer not to say	Territory Contract Manager	n/a	Too low	Yes	n/a	n/a	n/a	n/a	25	25	20	20	50	n/a	n/a	yes
7	45-54	Female	I work in a non-SME business in the construction industry, a non-trade labour role in the construction industry	Over 20 years	About right	Unsure	80	25	0	1	24	1	25	5	5	50	50	No
8	45-54	Female	I work in a non-SME business in the construction industry, I work in a manager, supervisor or specialist role in the construction industry	11-20 years	Too low	No	800	30	0	0	25	10	20	n/a	n/a	n/a	n/a	
9	35-44	Female	I work in a SME Business in the construction industry with less than 200 employees, I work in a manager, supervisor or specialist role in the construction industry	Over 20 years	about right	Yes	100	25	n/a	n/a	15	50	30	5	5	20	20	Yes