

19 January 2023

Natalie James
Secretary
Department of Employment and Workplace Relations

Via: asg@dewr.gov.au



RE: AUSTRALIAN SKILLS GUARANTEE DRAFT PROCUREMENT GUIDELINES

The Victorian Trades Hall Council (VTHC) welcomes the opportunity to make a submission to the draft procurement guidelines for the Australian Skills Guarantee.

VTHC was founded in 1856 and is the peak body for unions in Victoria. VTHC represents over 41 unions and more than 500,000 workers in the state. These workers are members of unions that reach into every industry across Victoria. Unions are committed to ensuring that our apprenticeship system is accessible and inclusive. Apprenticeships must be a viable avenue for workers to have to a long-term career in the trades.

Victorian unions are broadly supportive of the targets proposed in the draft guidelines and appreciate that the Department has taken on board recommendations to increase monitoring and compliance mechanisms, including the monitoring of targets every six months. This submission should be read in conjunction with VTHC's submission dated 20 October 2023 (**Attachment A**) and participation in public consultation in October and December 2023.

Victorian unions understand that there are a range of systemic barriers to employing women apprentices, including stubbornly persistent gender perceptions regarding women entering traditionally male dominated trades. Unions are committed to overcoming these persistent issues.

It is imperative that these guidelines are as effective as possible. Australia still has one of the most gender segregated workforces in the world and women are much less likely to take up traditionally male dominated trades such as in the construction industry. Women still only makeup 22% of jobs in the mining industry, 26% of jobs in the construction industry, and 26% of jobs in the electricity, gas, water and waste services industry.¹ The proportion of women actually working in trades in these industries is lower again, being 3%.² This is a persistent and difficult problem to overcome.

Luke Hilakari
Secretary

Amanda Threlfall
Assistant Secretary

Wilhelmina Stracke
Assistant Secretary

Trades Hall
54 Victoria Street
Carlton 3053

Ph: 03 9659 3511
info@vthc.org.au
weareunion.org.au

¹ Workplace Gender Equality Agency (WGEA) "Australia's Equality Scorecard" 2022-23, published November 2023, accessed:

https://www.wgea.gov.au/sites/default/files/documents/WGEA_Gender_Equality_Scorecard_2022-23_0.pdf

² <https://www.smh.com.au/business/workplace/just-3-percent-of-tradies-are-women-hacia-is-doing-something-about-it-20220308-p5a2v3.html>

Targets need to be implemented with a view to ensuring workplaces are safe for working women. Over 60% of working women have experienced gendered violence at work, with 19% stating that an 'unsafe work environment' was the reason they left a job.³ Victorian unions applaud the work being done to address gendered violence at work, including gendered violence being treated as an occupational health and safety issue. However, more must be done to ensure women in apprenticeships, trades and traditionally male dominated industries are safe at work.

Having workable targets, with monitoring, compliance, and other holistic approaches to ensuring workplaces are safe for working women are vital. On this basis, Victorian unions remain of the view that the guidelines could be further improved and make the following recommendations:

1. It should be a condition of tendering for all projects subject to the Australian Skills Guarantee that tenderers must have Gender Equality Action Plans. VTHC supports the requirement that sub-contractors in addition to suppliers have GEAPs on flagship projects. The Government must continue this work and extend the application of GEAPs to all suppliers so that the targets have the most broad reaching effects.
2. Consultation with unions needs to be built into the process. It is noted that for a supplier's minor non-compliance, the relevant entity will undertake an educative approach. Based on Victorian unions' experience with Victorian Government's Equal Workplaces Advisory Council, the Victorian Building Equality Committee, and the Building Industry Consultative Council (BICC), early intervention and collaboration between unions and employers is key to ensuring the success of targets. Unions must not only form a key part of this educative approach, but consultation with unions must be built into the application of the procurement guidelines at all stages.
3. The principle that the consequences be based on the degree of non-compliance is broadly supported by Victoria unions. However, again it is important that unions and other key stakeholders are consulted on the enforcement of relevant targets. Additionally, any form of non-compliance, especially for flagship contracts, should result in the direct approach that is currently only relevant under the draft guidelines to moderate breaches. Given suppliers of flagship contracts will be responsible for projects of \$100 million or more it is appropriate they take their obligations seriously. They must be required to quickly enact changes to ensure they comply with the procurement guidelines as soon as they possibly can.
4. Similarly, for serious non-compliance there should be exclusions from future projects, rather than the exclusion being 'potential' and a factor for consideration in the future. Again, it is extremely important that

³ Stop Gendered Violence at Work: Women's Rights at Work Report, *Victorian Trades Hall Council* (2016)

Guidelines are taken seriously, and suppliers must know that non-compliance has serious consequences otherwise it is likely suppliers will not prioritise targets.

5. Lastly, it is noted that the relevant entity is responsible for collecting the data, with the Department being responsible for its collation. Victorian unions again advocate for there to be an independent Commissioner responsible for the real time monitoring and compliance of the targets. A specific Commissioner responsible for tracking this data in real time would enable expertise and analysis to achieve genuine monitoring of targets, and they could be a hub for resources and support for unions and employers to achieve these targets.

Thank you for the opportunity to make a submission into this important review. Should you have any further questions, please don't hesitate to contact Tiarne Crowther, VTHC Special Advisor on tcrowther@vthc.org.au.

Regards,



Wil Stracke
VTHC Assistant Secretary

TC:WS: 23.71