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## NOT-FOR- PROFIT NEWSLETTER

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### **FEBRUARY 2013**

#### **New Workplace Gender Equality legislation**

All non-public sector employers with 100 or more employees are required to report annually under the Workplace Gender Equality Act 2012 (WGEA) previously the Equal Opportunity for Women in the Workplace Act 1999 (EOWW). If the number of employees falls below 100, the employer must continue to report until employee numbers fall below 80.

For the current reporting period (1 April 2012 to 31 March 2013), employers are required to lodge a "workplace profile" in the same format as under the EOWW Act 1999 with no salary data required. The CEO or equivalent person signs the report.

Below is a link to a word version of the report in the form required to be submitted for the 2012/2013 reporting period:

[http://www.wgea.gov.au/Reporting\\_And\\_Compliance/Examples/2012-12-10\\_Public\\_Report\\_Form\\_2012-2013.doc](http://www.wgea.gov.au/Reporting_And_Compliance/Examples/2012-12-10_Public_Report_Form_2012-2013.doc)

Employers must also comply with the following new notification and access requirements:

- they must inform employees and shareholders that the report has been submitted;
- they must enable access to their report for employees and shareholders;
- they must inform employee organisations (i.e. unions) that the report has been submitted; and
- they must give all of the above opportunity to comment either to the organisation or to the Agency.

All employers' reports are published on the Agency's website.

The Agency may review an employer's compliance with the Act by seeking further information from the employer. The Agency may do this on a random basis but may also take into account comments made to it by employees or unions when determining if a review is to be conducted and whether the content of the employer's report is accurate.

From the 2013/2014 reporting period, the WGEA is fully operational. Employers are required to report against a set of standardised gender equality indicators. These GEIs or minimum standards are yet to be set by the Minister. The WGEA defines GEIs as:

- a. the gender composition of the workforce
- b. the gender composition of governing bodies of relevant employers
- c. equal remuneration between women and men
- d. the availability and utility of employment terms, conditions and practices relating to flexible working arrangements for employees and of working arrangements supporting employees with family or caring responsibilities
- e. consultation with employees on issues concerning gender equality in the workplace; and
- f. any other matters specified by the Minister.

Our Workplace Solutions Group can assist employers meeting these new compliance obligations.

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