

## Australian Work and Family Policy: 1992-2006

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# Australian work and family policy 1992-2006

Megan Blaxland, Killian Mullan and Lyn Craig

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## Contents

<b>List of Tables .....</b>	<b>ii</b>
<b>List of Figures.....</b>	<b>ii</b>
<b>1 Introduction .....</b>	<b>1</b>
1.1 Demographic overview .....	2
1.2 Economic indicators & budget spending .....	3
<b>2 Sex Discrimination and Women's Policy Development .....</b>	<b>8</b>
<b>3 Early Childhood Education and Care .....</b>	<b>10</b>
3.1 Use of ECEC services .....	10
3.2 Policies to increase availability.....	11
3.3 Parents' reports of availability .....	12
3.4 Costs of ECEC services .....	13
3.5 Policies to address costs .....	15
<b>4 Family Assistance .....</b>	<b>17</b>
4.1 Use of family assistance.....	19
<b>5 Income Support for Parents .....</b>	<b>20</b>
5.1 Support for sole parents .....	20
5.2 Support for partnered parents.....	21
5.3 Use of income support for sole and partnered parents.....	21
<b>6 Industrial Relations .....</b>	<b>23</b>
6.1 Employment statistics .....	24
<b>7 Maternity, Paternity and Parental Leave .....</b>	<b>27</b>
7.1 Industrial Relations Commission test cases .....	27
7.2 Government maternity leave policy initiatives .....	28
7.3 Use of paid and unpaid maternity leave.....	28
<b>8 Campaigns to change the gender distribution of unpaid labour .....</b>	<b>31</b>
<b>9 Conclusion.....</b>	<b>32</b>
<b>References.....</b>	<b>34</b>

## List of Tables

Table 1.2:	Fertility .....	2
Table 1.3:	Rates of marriage and divorce (crude rates per 1000 population) .....	3
Table 1.4:	Children under 15 in one parent households as a proportion of all children.....	3
Table 1.5:	Employment patterns in couple households.....	5
Table 1.6:	Estimated poverty trends, 1993-94 to 2003-04 .....	7
Table 3.1:	Use of formal care (including preschool) among children aged 0 to 11 years .....	10
Table 3.2	Use of informal care among children aged 0 to 11 years.....	11
Table 3.3	Additional formal care required, children aged 0-11 .....	12
Table 3.4	Main type of additional formal care required, children who need additional care aged 0-11 .....	12
Table 3.5	Main reason additional care not used, as a proportion of children requiring additional formal care .....	13
Table 5.1	Parenting Payment recipients, June 1992 to 2006.....	22
Table 5.2	Parenting Payment recipients as a proportion of the working age population.....	22
Table 6.1:	Proportion of all employees who are members of a trade union.....	25
Table 7.1:	Employees with children aged less than 6 who took a break when the youngest child was born, 1996 .....	29
Table 7.2:	Employees with children aged less than 6 who took a break when the youngest child was born, 2002 .....	30

## List of Figures

Figure 1.2:	Unemployment, male and female labour force participation (at June each year) .....	4
Figure 1.3:	Male and female average weekly ordinary full-time earnings (in August of each year) .....	6
Figure 3.1:	Child Care Consumer Price Index: quarterly, original.....	14
Figure 4.1:	Family assistance recipients as a proportion of all families with children aged less than 15 .....	19
Figure 6.1:	Part-time and Casual Employment 1993-2003 .....	25
Figure 6.2:	Families with children aged 0-11 years with at least one parent employed: work arrangements used to care for child .....	26

## 1 Introduction

This paper describes major Australian Government policies which affected families in the years from 1992 to 2006. In 1996 there was a transition from a Labor to a Liberal/National Australian Government, a change which allows this review to examine the policy trends under the two different authorities. The review focuses on policy in the areas of child care, family assistance, income support, industrial relations and maternity leave. The review aims to provide background material for subsequent analysis of changes in men and women's time use from 1992 to 2006.

In 1992, Australia was governed by the Australian Labor Party. Labor had come to power in 1983 under Bob Hawke, who remained Prime Minister for eight years. In 1991, Paul Keating took on the Prime Ministership and under his leadership Labor was re-elected in 1993. In the national election of 1996, government was won by the Liberal/National Party Coalition, led by John Howard. Mr Howard's government remained in power for the next 11 years.

The following review of policy trends throughout these years finds key differences between the two periods of government. The Labor Government had a preference for administering family assistance through the transfer system, whereas the Coalition preferred the tax system. The Labor Government committed to making payments directly to the primary carers of children, generally mothers, while the Coalition retreated from this, allowing family assistance payments to be made either to the mother or the father. The Labor Government sought to consolidate income support payments for parents, in particular no longer differentiating between different groups of sole parents and making payments directly to partnered primary carers rather than their spouses. This was not an issue of concern for the Coalition, who instead focused strongly on welfare-to-work measures which made employment-oriented activities compulsory for new groups of income support recipients. Both Labor and the Coalition encouraged employees and workplaces to negotiate their own measures to assist families in balancing their commitments to work and family. There were differences, however, in the approach which each government thought best. Labor encouraged the inclusion of work and family policies in industrial agreements, negotiated at the industry or workplace level. The Coalition argued that individual negotiations between employee and employer would provide the best and most flexible work/family benefits for employees. Finally, Labor policy generally did not differentiate between different family types; on the whole assistance and policy applied equally to families with one or two parents and to families with one or two employed parents. In contrast, Coalition policy, especially family assistance measures, prioritised sole-earner families over dual-earner families.

In some policy areas there were commonalities across the two governments. Child care policies were very similar. To reduce the cost of child care to families, both the Labor and Coalition governments used fee relief rather than direct funding to services. To increase the availability of places, both governments preferred market mechanisms rather than government planning processes to determine where child care centres would be built. A key difference, however, was the rising cost to families which occurred during the Coalition Government when the level of out-of-pocket expenses increased faster than inflation. There was some continuity, too, in industrial relations policy. The first moves towards reducing government involvement in the setting of employment conditions began under Labor, but this policy direction was amplified and significantly expanded by the Coalition Government.

This policy review serves as a background paper to an analysis of the changing patterns of unpaid work in the home among men and women using the 1992, 1997 and 2006 Australian

Bureau of Statistics Time Use Survey. For that reason, this paper focuses on those key dates when reporting demographic trends, use of family assistance, child care and employment data. In each policy area, it begins with the policies already in place in 1992 and then describes the changes which occurred up to 2006.

The paper begins with a demographic and economic overview of Australia during the period 1992 to 2006. It examines the developments in sex discrimination legislation and changes in the key women's policy unit before investigating child care policy, focusing on cost and availability. The next section explores the changing policies for family assistance payments through the tax and transfer systems, followed by income support policies for sole and partnered parents. The final two sections of the report describe industrial relations changes and maternity, paternity and parental leave.

### **1.1 Demographic overview**

This section details some of the demographic changes which occurred in Australia in the 14 years to 2006. This provides a context for the family policy developments which took place in that time.

The Australian population grew from 17.5 million people in 1992 to 20.6 million in 2006 (Table 1.1). The population aged during that time, so that in 2006, compared to 1992, a greater proportion was older than 64 years and a smaller proportion aged less than 15 years. The proportion of the population which was born overseas increased slightly from 23 per cent to 24 per cent.

**Table 1.1: Population of Australia, age of population, proportion born overseas**

	<b>1992</b>	<b>1997</b>	<b>2006</b>
Population (millions)	17.5	18.5	20.6
Percentage aged 0-14yrs	21.8	21.2	19.3
Percentage aged 65+yrs	11.5	12.1	13.3
Percentage born overseas	23.0	23.3	24.1

Source: ABS (1999, 2007a) Australian Social Trends

At the same time, fertility rates declined and women were older when starting families (Table 1.2). In 1992, the fertility rate was 1.89 births per woman. In 2006, the rate was 1.82. The median age at which women first gave birth increased from 26.5 to 28 years.

**Table 1.2 Fertility**

	<b>1992</b>	<b>1997</b>	<b>2006</b>
Total fertility rate per woman	1.89	1.78	1.82
Median age of mothers at first birth (yrs)	26.5	27.3	28.0

Source: ABS (1999, 2009) Australian Social Trends; ABS (2008f) Births Australia 2007

During this period the rate at which the population married declined, from 6.6 per 1000 in 1992 to 5.5 in 2006 (Table 1.3). Divorce, by contrast, rose and then fell from 2.6 per 1000, to 2.8 then 2.5.



**Table 1.3 Rates of marriage and divorce (crude rates per 1000 population)**

	<b>1992</b>	<b>1997</b>	<b>2006</b>
Marriage rate	6.6	5.8	5.5
Divorce rate	2.6	2.8	2.5

Source: ABS (1999, 2007a, 2009) Australian Social Trends

The composition of households also changed. For example, the number of children aged less than 15 years living in one parent households increased. It rose by a third from 1992 to 2006, up from 14 per cent to 19 per cent (Table 1.4).

**Table 1.4 Proportion of children under 15 in one parent families**

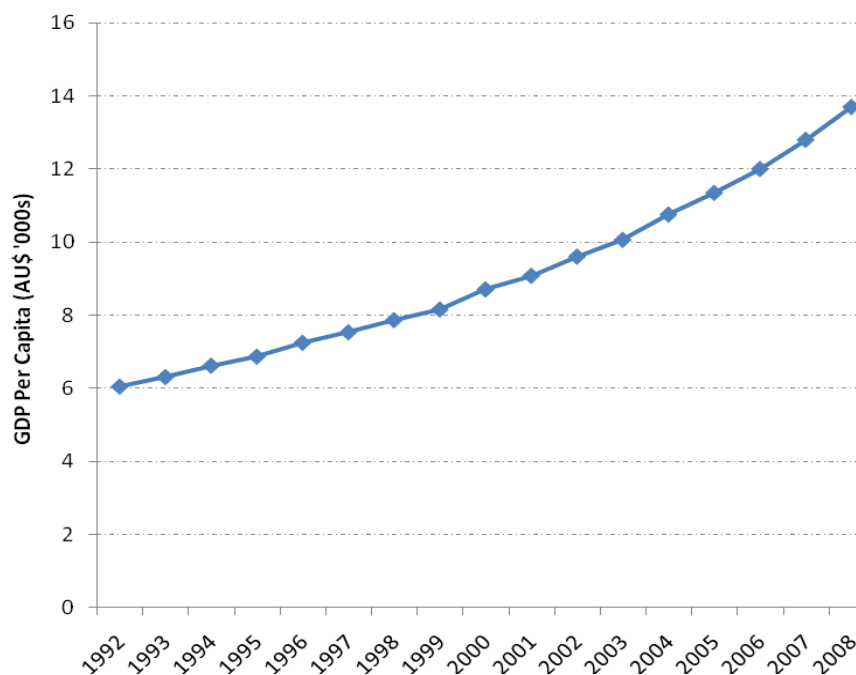
	<b>1992</b>	<b>1997</b>	<b>2006</b>
	<b>%</b>	<b>%</b>	<b>%</b>
Children in lone parent households	14.4	18.0	19.0

Source: ABS (1999, 2007a) Australian Social Trends

## **1.2 Economic indicators & budget spending**

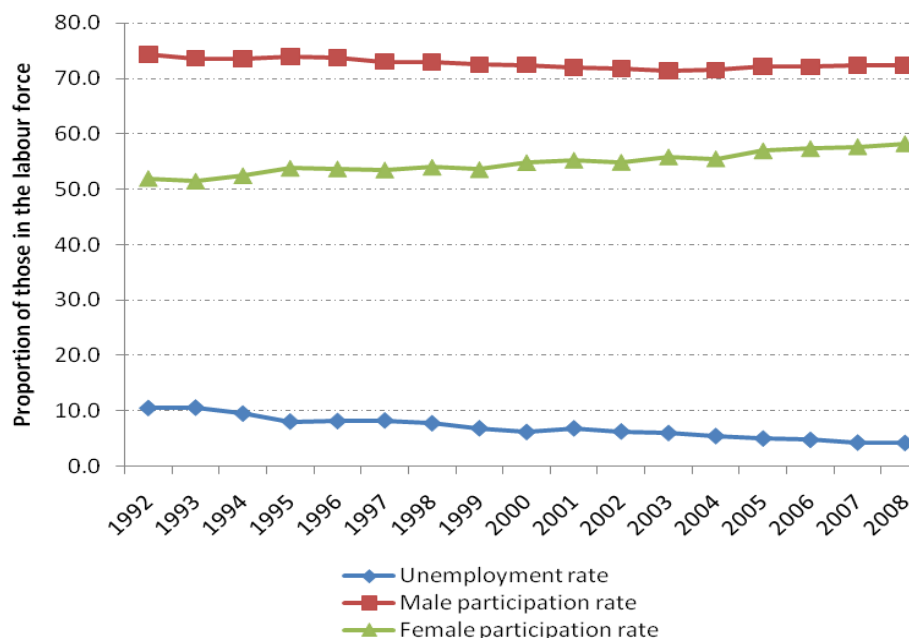
Policy and demographic change took place in an economic environment in which national wealth increased, unemployment fell and women's labour force participation grew while men's declined slightly (Figure 1.1 and Figure 1.2).

**Figure 1.1 Gross Domestic Product per capita, current prices (at June each year)**



Source: ABS (2008a) Australian National Accounts, Time Series Workbook, June.

**Figure 1.2 Unemployment, male and female labour force participation (at June each year)**



Source: ABS (2008b) Labour Force Australia Spreadsheets.

The number of employees who work in more than one job has risen. While only a small proportion of all employees hold multiple positions, the proportion was around 6 per cent in

one week in 2003, up from 5 per cent in 1993 (ABS 2003d: 18). Women are more likely to be holding down several jobs than men. In 2003, 7 per cent of female employees, compared to 5 per cent of male employees, were working in more than one job. These employees tend to work longer hours than other employees. In 2003, when the average working week for all employees was 37 hours, those working multiple jobs worked 40 hours. Among men holding multiple jobs, 46 per cent worked more than 50 hours per week, compared to 25 per cent of other male employees (ABS, 2003d: 19). Among women working in multiple jobs, 16 per cent worked more than 50 hours, compared to 7 per cent of other female employees.

Patterns of labour market participation in couple households also changed as more women retained their employment through marriage and child rearing. The number of 'male breadwinner' households, in which men were employed full-time and women were not in the labour force, declined from 32 per cent of couple households to 26 per cent (Table 1.5). Instead, many more couple households were made up of a male full-time earner and a female part-time earner. By 2006, at 41 per cent, this was the most common couple household type, up from around 33 per cent in 1992 and 1997.

**Table 1.5 Employment patterns in couple households**

	<b>1992</b>	<b>1997</b>	<b>2006</b>
	<b>%</b>	<b>%</b>	<b>%</b>
Male breadwinner	31.6	31.9	26.1
Dual full-time	18.2	19.9	20.4
One and a half earner <sup>a</sup>	34.3	32.0	41.0
Other <sup>b</sup>	15.9	16.2	12.6

a) Male full-time, female part-time.

b) Eg female full-time and male not in labour force, unemployed or working part-time; or both working part-time, etc.

Source: ABS (1992, 1997, 2006) Time Use Survey Data

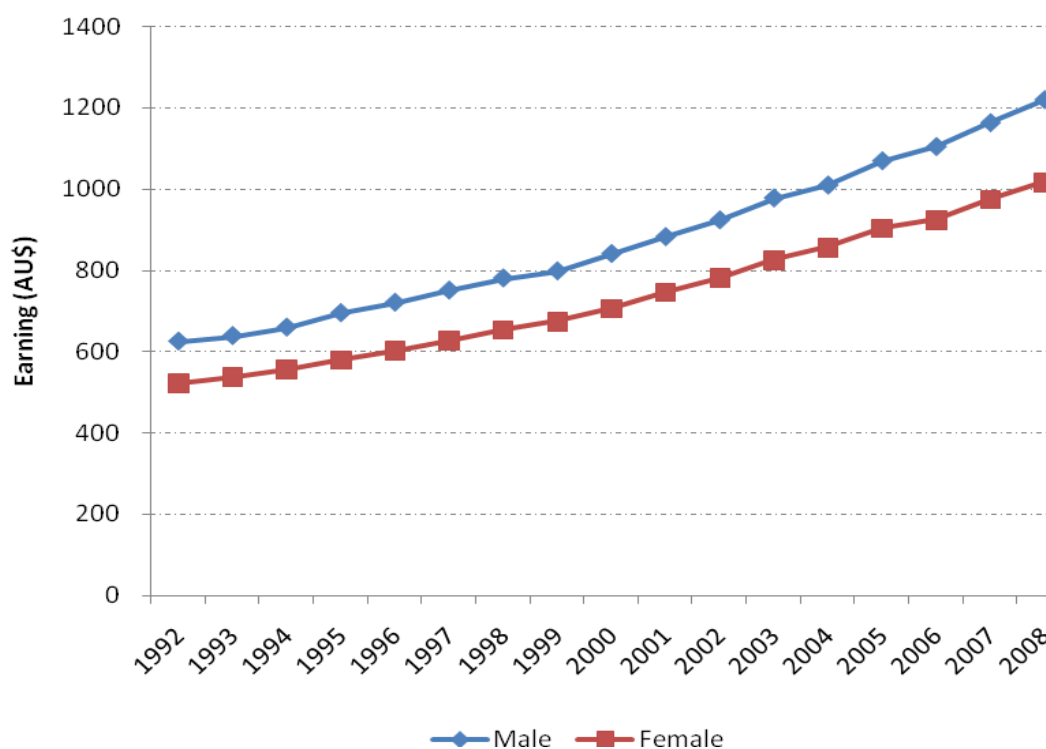
Higher educational attainment has been rising in Australia. In 1992, 9.6 per cent of the population aged 15 – 64 years held a bachelor degree or higher (ABS, 1999: 76). By 1997, this increased to 13.6 per cent, and by 2006 it had increased to 20.6 per cent (ABS, 2007a: 92). The education profile of women in particular has changed over the period. For example, the proportion of women with a post-secondary school qualification has increased from 43.6 per cent in 1992 to 48.3 in 2006 (ABS, 1999: 76, 2007a: 92). Perhaps more importantly, there has been a large increase in the proportion of women with a bachelor degree or higher. Analysis of demographic information from the ABS Time Use Surveys (1992, 1997 and 2006), which contain representative samples of the Australian population, reveals that the proportion of women aged 15 – 64 with a degree was 9.2 per cent, 12.3 per cent and 22.8 per cent in 1992, 1997 and 2006 respectively. Comparable figures for men at each of these time points are 12.8 per cent, 13.6 per cent and 19.8 per cent.

A notable trend in female labour force participation is that there has been an increase in mothers with a young child who are in the labour force. In 1992, the proportion of all mothers with a child aged 0 – 4 years who were in the labour force was 46.6 per cent (ABS, 1999; 2007a). This rose by about 1 per cent in 1997 and by 2006 it had risen to 52.4 per cent.

Average earnings rose for both men and women from 1992 to 2006 (Figure 1.3). However, in the latter part of this period, men's earnings increased faster than women's. Partly as a result of changes in earnings (but also related to other sources of income such as income

support payments), women's income, as a proportion of all the income received by men and women aged 18 to 64 years increased from the early 1980s until the mid 1990s, from 31 per cent to 38 per cent (ABS, 2008d: 153). However, in the 10 years which followed, there was very little change at all and women's income did not continue to increase as a proportion of all income.

**Figure 1.3 Male and female average weekly ordinary full-time earnings (in August of each year)**



Source: ABS (2008c) Average Weekly Earnings, Time Series Workbook. Authors' calculation.

A key measure of the level of poverty in society is the proportion of households with income below a specified threshold, which is regarded as a measure of relative poverty (Saunders and Bradbury, 2006). The income threshold is typically set at 50 or 60 per cent of median equivalised household income. The proportion of households living below both 50 and 60 per cent poverty lines increased in the decade from 1993-94 to 2003-04 (Saunders and Hill, 2008). Saunders and Hill provide poverty rates after excluding households which might not actually be poor, such as those with zero or negative incomes, a standard exclusion when measuring poverty, and those whose expenditure is significantly larger than their reported income. The trend of increasing poverty levels holds true after these exclusions (Table 1.6). Poverty as a proportion of median income increased from 1993-94 to 1998-99 and increased even more sharply in the following five years to 2003-04<sup>1</sup>.

<sup>1</sup> Poverty rates are higher when measured at 60 per cent of median income than 50 per cent as many income support payments levels are set between these two measures of poverty (Saunders and Hill, 2008: 376).

**Table 1.6 Estimated poverty trends, 1993-94 to 2003-04**

	<b>1993-94</b>	<b>1998-99</b>	<b>2003-04</b>
	<b>%</b>	<b>%</b>	<b>%</b>
<b>All households</b>			
Poverty line:			
50 per cent median income	7.6	8.6	9.9
60 per cent median income	17.1	18.0	19.8
<b>Excluding households with zero or negative incomes</b>			
Poverty line:			
50 per cent median income	5.3	7.2	9.8
60 per cent median income	15.9	17.7	20.4
<b>Excluding households with expenditure at least twice as high as their income</b>			
Poverty line:			
50 per cent median income	4.0	5.9	8.2
60 per cent median income	13.1	14.9	17.5

Source: Adapted from Saunders and Hill (2008:384)

Sole parent households have low levels of income than couple households with children. For example, in 2004, sole parent households with dependent children had an average equivalised disposable household income of \$329, compared to \$453 in couple households with dependent children (ABS, 2004c: 145).

## 2 Sex Discrimination and Women's Policy Development

Both the Labor and Coalition Governments supported the *Sex Discrimination Act* which passed into legislation in 1984. Since then, a number of amendments and attempted amendments have been made. Each government introduced amendments which extended the reach of the Act, ensuring greater protection from discrimination on the grounds of sex. In addition, the Coalition Government made three attempts to amend the Act in ways which limited the application of the Act. These are all detailed below.

The first significant review of the Act was published in 1992 following a two year inquiry by the House of Representatives Standing Committee on Legal and Constitutional Affairs. As a result, a number of amendments were made by Labor in 1992. Sexual harassment was extended to more organisations, industrial awards were brought under the act, and dismissal on the grounds of family responsibility was prohibited as a form of sex discrimination (HREOC, 2008).

In 1995, in further response to the 1992 inquiry and a 1994 Law Reform Commission inquiry, *Equality Before The Law: Justice for Women*, additional amendments were made by Labor (HREOC, 2008). Potential pregnancy was included as a ground for discrimination, equal opportunity measures implemented to help achieve equality were excluded as forms of discrimination and 'reasonableness' was included as a defence for indirect discrimination.

In 2002, the Coalition introduced further measures around pregnancy (HREOC, 2008). These ensured discrimination due to breastfeeding constituted sex discrimination, meant it became unlawful for employers to ask questions about pregnancy or potential pregnancy and provided exemptions for requests for medical information relating to pregnancy if it is necessary.

There have also been unsuccessful attempts to amend the Sex Discrimination Act. In 2000, a bill was introduced to allow discrimination on the grounds of marital status for access to assisted reproduction (HREOC, 2008). A Senate inquiry concluded the bill would limit the rights of some women and bring the Sex Discrimination Act into conflict with the *UN Convention on the Elimination of All Forms of Discrimination Against Women*. The bill did not pass the senate and lapsed in 2001. Another attempt at the same changes was attempted in 2002. This bill was not introduced to the Senate and also lapsed.

In 2004, following a House of Representatives Inquiry *Boys: Getting it Right*, a bill was introduced to allow educational institutions to provide scholarships to men in order to increase the number of male teachers (HREOC, 2008). The Senate Legal and Constitutional Committee reviewed the bill and recommended it be passed, but it was defeated in the Senate.

The location of Australia's key women's policy unit, and how governments responded to its work, provides further evidence of Labor and the Coalition's different commitment to, and conceptions of, policy for women. The Office for the Status of Women was established by Labor in 1984 to advise government on women's policy, the same year that *Sex Discrimination Act* was passed. Throughout the Labor years, the Office for the Status of Women was located at the heart of government in the Department of Prime Minister and Cabinet and operated as a hub for women's policy units in other agencies. The Office

initiated Women's Budget Statements, which provided gender analyses of all budget allocations (Maddison and Partridge 2007).

The Office for the Status of Women remained in the Department of Prime Minister and Cabinet for the much of the Coalition administration, but exerted less and less influence. In 2004 it was renamed the Office for Women and transferred to the Department of Families, Community Services and Indigenous Affairs. A similar move by the previous Coalition Government in 1977 was greeted by a community 'uproar', but in 2004 'barely a murmur' was heard (Maddison and Partridge 2007: 64), indicating that women's rights were by then less prominent in public debate. The 2004 changes had important implications. Women's policy was relocated from the centre of government to the periphery. The move reflected a reduced government focus on women's rights. Women's issues were positioned as family issues. The work of the Office changed, too. The Gender Budget Statements were more limited under the Coalition Government and those preparing statements were expected not to criticise government but rather to promote government policy for women (Donaghy 2003).

### 3 Early Childhood Education and Care

Traditionally, the state governments have been responsible for kindergartens and preschool, and the Commonwealth for child care policy. These divisions are not hard and fast, either at a policy level, or at the level of provision. For example, the Australian Government has been involved in preschool education for particular groups of children, most notably indigenous children. This discussion focuses on child care and the policies of Australian governments.

#### 3.1 Use of ECEC services

The types of formal care most commonly provided in Australia include long day care centres for children aged 0-5 years, family day care in the home of an approved carer provided mostly for 0-5 year olds but also older children, occasional care provided by centres for children usually aged 0-5 years, preschool for children in the year or two before they start primary school, and outside school hours care which is generally provided for children aged 5-12 years old.

The proportion of preschool- and primary school-aged children who used formal care services (including preschool) increased steadily from 1993 to 2005. It rose from 19.3 per cent to 28.2 per cent (Table 3.1). There was very little change in the number of infants being cared for in formal settings, a figure which remained at around 7 per cent. Most of the increase in service use was among 1 to 5 year olds. Just over a third of these children used formal services in 1993 and 1996. However, a steady and steep increase between 1996 and 2005 meant that by the end of that period more than half of 1 to 5 year olds used formal care services.

**Table 3.1 Proportion of children aged 0 – 11 using formal care (including preschool)**

<b>Age of Child</b>	<b>1993</b>	<b>1996</b>	<b>1999</b>	<b>2002</b>	<b>2005</b>
	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>
less than 1	6.5	7.6	8.5	7.0	6.9
1 to 5	37.7	37.5	44.1	48.3	57.3
6 to 11 <sup>a</sup>	6.1	7.7	9.2	10.1	11.4
Total <sup>b</sup>	19.3	20.1	23.5	25.4	28.2

a) Aged 6 to 12 in 2005. b) Aged 0 to 12 in 2005

Source: ABS (1994b, 1997a, 2000, 2003b, 2006) Child Care Australia; Brennan, Blaxland, Tannous, 2009. Authors' calculations

Throughout the period 1993 to 2005, informal care remained an important source of care for children when not being looked after by their parents. Informal care is care provided by family or friends or nannies and is often, but not always, unpaid. Unlike formal care, informal carers do not need to be approved providers, although they can register as care providers with the Australian Government (so that parents can reclaim some costs through government fee relief schemes). Across all time periods and all age brackets, around one third of children used informal care, falling slightly from 1993 to 2005 (Table 3.2).



**Table 3.2 Proportion of children aged 0 – 11 using informal care**

<b>Age of Child</b>	<b>1993 %</b>	<b>1996 %</b>	<b>1999 %</b>	<b>2002 %</b>	<b>2005 %</b>
less than 1	34.9	33.6	37.3	29.7	29.4
1 to 5	41.7	40.1	42.8	37.8	38.9
6 to 11 <sup>a</sup>	35.1	33.7	32.7	29.4	28.7
Total <sup>b</sup>	37.8	36.4	37.2	32.8	32.6

a) Aged 6 to 12 in 2005. b) Aged 0 to 12 in 2005

Source: ABS (1994b, 1997a, 2000, 2003b, 2006) Child Care Australia. Authors' calculations.

### **3.2 Policies to increase availability**

The increases in formal ECEC use described above occurred in a policy environment of increased federal government focus on ECEC services, especially child care. This focus developed and grew in the 1980s, so that “by 1993, child care was entrenched as part of the mainstream political agenda” (Brennan, 1998: 204). The late 1980s and early 1990s were characterised by an increased number of child care places and a movement away from directing government resources to community child care towards supporting for-profit providers (Brennan, 1998). Funding levels had increased significantly in the previous two decades and child care expanded rapidly. Much of the expansion of child care places was due to an explicit government policy encouraging for-profit providers. During the early 1990s, community child care grew only slightly (from 42,000 in 1991 to 46,300 in 1996), while for-profit centres grew fourfold (from 32,000 to 121,600) (Brennan, 1998: 214).

In the late 1980s and early 1990s, the growth in for-profit centres was encouraged by:

- Federal government planning principles – in the early 1990s new community centres had to comply with these principles, but new for-profit centres could be established wherever investors decided. Government was averse to restricting the decisions and opportunities of commercial enterprises (Brennan, 1998: 214). As a result, while the number of places grew, they were not evenly distributed or always in areas of greatest need.
- Fee relief – in 1991, fee relief was extended from users of community child care to include users of commercial child care (Brennan, 2007: 214)
- Per capita funding from government to services – rather than funding services based on wages and qualifications of centre staff, in the mid-1980s Labor changed to funding per licensed child care place supplemented by fee assistance (Brennan, 2007: 214). After the extension of fee assistance to for-profit providers, non-profit services continued to receive an additional small operational subsidy.

In the first budget following the election of the Liberal/National Coalition in 1996, the government removed non-profit operational subsidies and withdrew funding for over 5000 planned places in community child care centres (Brennan, 2007: 216).

The policies of the Labor and Coalition governments led to strong increases in the number of government-supported child care places between 1992 and 2006. In 1992, there were less than 100,000 government-supported long day care places (AIHW, 2007: 37). By 1997, this had risen to approximately 180,000 places, increasing again to more than 260,000 in 2006.

### 3.3 Parents' reports of availability

Parents' reports of an additional need for formal care services halved from 1993 to 2005. In 1993, nearly 16 per cent of parents of 0-11 year old children said that they needed more formal care (including preschool) in the previous four week, either because they did not use any at all, or because they wanted more than they currently used (Table 3.3). By 1996, this had fallen to 8.4 per cent.

Excluding preschool, as this data was reported in 2005, the proportion needing additional formal care was slightly lower in 1996, 7.8 per cent and fell again to 2005, reaching just 5.9 per cent (Table 3.3). Unfortunately the ABS *Child Care Survey* reports do not provide comparable data on additional formal care required from 1993 to 2005.

**Table 3.3 Additional formal care required, children aged 0-11**

	<b>1993</b>	<b>1996</b>	<b>1996</b>	<b>2005<sup>a</sup></b>
	<b>Including pre-school<sup>b</sup></b>		<b>Excluding pre-school<sup>b</sup></b>	
Number of children	489.2	261.7	241.4	184.5
Percentage of children	15.9	8.4	7.8	5.9

a) 2005 data reconciled by ABS to only include children aged 0-11 (not 0-12 as it is in use of formal care above). b) In 2005, the ABS re-defined formal child care to exclude child care. The report ABS (2006), reconciles 1996 child care survey data with this new definition, but not earlier years of the survey.

Source: ABS (1994b, 1997a, 2006), Child Care Australia.

The type of care for which the greatest need was expressed was different under the Labor and Coalition governments. Although, as reported above, the supply of places in long day care grew throughout the period, so did unmet demand. Just over one in ten children requiring additional care in 1993 needed long day care places. By 2005 this had risen to over one-quarter (Table 3.4). Demand for before and after school care also increased. In 1993 this form of care was needed by about a quarter of children who required additional care. This rose to around one-third in 1996, and remained at around one-third in 2005.

The level of unmet need fell for only two types of care, occasional care and family day care. In the 1990s, of those parents who reported needing additional care, large proportions reported needing occasional care, but this had fallen by 2005 (Table 3.4). Unmet need for family day care remained constant throughout the period, falling slightly in 2005.

**Table 3.4 Main type of additional formal care required, children who need additional care aged 0-11**

	<b>1993</b>	<b>1996</b>	<b>1996<sup>a</sup></b>	<b>2005<sup>b</sup></b>
	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>
	<b>Including preschool<sup>c</sup></b>		<b>Excluding preschool<sup>c</sup></b>	
Before and after school care	25.6	32.4	35.2	33.0
Occasional care	39.2	31.4	34.0	22.1
Long day care	13.0	14.9	16.2	28.6
Family day care	12.3	11.1	12.0	9.6
Preschool	6.1	7.8	NA	NA

a) Data from 1996 recalculated by ABS to Aged 6 to 12 in 2005.

b) 2005 data reconciled by ABS to only include children aged 0-11 (not 0-12 as it is in use of formal care above).

c) In 2005, the ABS re-defined formal child care to exclude child care. The ABS report (2006), reconciles 1996 child care survey data with this new definition, but not earlier years of the survey.

Source: ABS (1994b, 1997a, 2006) Child Care Australia.

Availability was the primary reason why formal child care, although needed, was not used. This was the case from 1993 to 2005 (Table 3.5). The type of availability issue changed, however. In 1993 and 1996, around a quarter of families said they did not use child care because there were no services in their area. By 2005, a third cited the availability of places at child care services ('booked out or no places'), not a lack of services in the area. Cost remained a steady concern, preventing the use of additional child care services for 15 per cent of those who needed additional care in 1993, 16 per cent in 1996 and 16 per cent in 2005.

**Table 3.5 Main reason additional care not used, as a proportion of children requiring additional formal care**

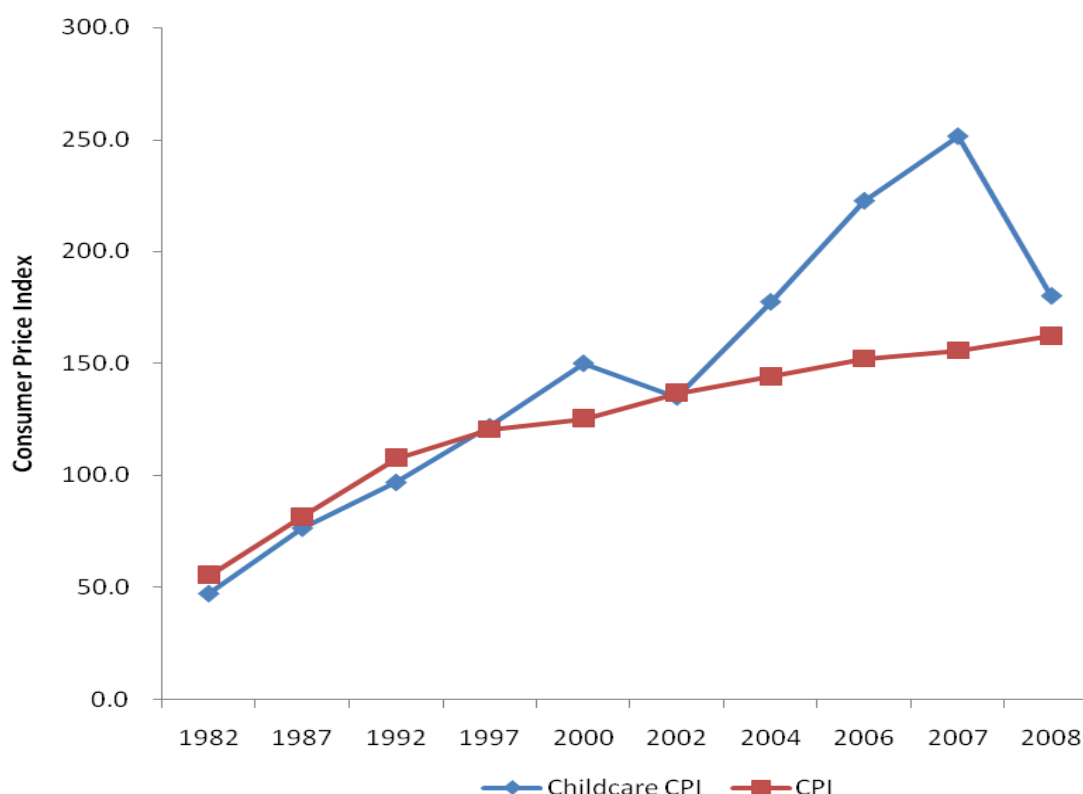
	<b>1993</b>	<b>1996</b>	<b>2005<sup>a</sup></b>
	<b>%</b>	<b>%</b>	<b>%</b>
No services exist/don't know of any in area	27.4	23.9	10.4
Cost or too expensive	14.9	16.2	16.3
Booked out or no places	16.6	17.2	33.3
Not known if care available	14.5	12.8	10.3

a) 2005 data excludes preschool and includes children aged 0-12.

Source: ABS, 1993, 1996, 2005, Child Care Australia. Authors' calculations

### **3.4 Costs of ECEC services**

Since the mid 1990s the cost of child care has increased at rate which has been higher than that for all goods and services (Figure 3.1) (Brennan, Blaxland, Tannous, 2009). There are only two exceptions, September 2000 and September 2007 when changes to subsidies or rebates temporarily lowered the child care CPI. Since 2002, child care costs have increased annually on an average basis by 12 per cent. This compares to an average for all goods and services of 2.8 per cent.

**Figure 3.1 Child Care Consumer Price Index: quarterly, original**

Note: Child care fees minus subsidies/rebates. Child Care Benefit was deducted from the actual child care prices in measuring the cost recorded in the consumer price index (CPI) from September Quarter 2000. The rebate available under the Child Care Tax Rebate (CCTR) was not in the scope of the CPI prior to the September quarter 2007 because the CCTR was paid through the income tax system and income tax offsets are excluded from the scope of the CPI. The CCTR ceased to be a tax offset and is now paid directly to families as a rebate by the Family Assistance Office (FAO). This change brought it in scope of the CPI and is included in the CPI calculation from September 2007.

Source: Brennan, Blaxland, Tannous, 2009

During the year of the 1997 Time Use Survey, weekly fees for community-based centres increased by an average of \$18, according to a study by the National Association of Community Based Children's Services (Parliamentary Library, 1997). Another study found that, between 1991 and 2000, weekly fees for full-time long day care increased on average by 6 per cent a year, an overall increase of 61 per cent, well in excess of inflation and the CPI and average weekly earnings. The author commented that, at the time of writing, the increase was slowing (Powlay, 2000). Australian Institute of Health and Welfare (AIHW) analyses have also shown that long day care became less affordable between 1991 and 1998 (AIHW, 2002: 22); and despite an improvement in affordability in 2000 when the Child Care Benefit (CCB) was introduced, overall the cost of child care as a proportion of disposable income has since increased for all family types except those with the highest incomes (AIHW, 2005: 127).

### **3.5 Policies to address costs**

In Australia, governments have preferred two different forms of policies to address the costs of child care. The Labor Government and the Coalition Governments have each used both: fee transfers and tax rebates.

In 1992, parents could claim Child Care Assistance to offset the cost of child care. Introduced in 1984, Child Care Assistance was intended to reduce the cost of child care fee costs for low and middle income families (Cass and Brennan, 2003: 47; McIntosh, 2000: 1). Child Care Assistance was paid directly to providers so that they could reduce their fees by the appropriate amount (McIntosh, 2000: 1). It did not cover all costs, and parents were required to pay the gap between the subsidy and the fees charged by centres (Cass and Brennan, 2003: 47). It was a means-tested payment, so low income families benefited, but some middle income families did not. Originally only available to families using community sector long day care services, in 1990 the payment was extended so that users of commercial centres could also claim assistance (Brennan, 1998: 200).

Concerns about fee costs remained high, however, so the Child Care Cash Rebate was introduced in 1994 (Parliamentary Library, 1997). This payment was originally not means-tested and was available to families in addition to Child Care Assistance. It provided a 30 per cent tax rebate for the cost of work-related child care, to an upper limit of just under \$29 per week for one child (Parliamentary Library, 1995a). Parents studying or training were also eligible to claim the rebate. It was generally claimed by families with higher incomes who did not claim other family assistance or child care relief (Mitchell, 1997: 9). It was available to the parent of a child under 13 years for formal or informal care (if the informal carer registered as a carer) (Mitchell, 1997: 17; Parliamentary Library, 1995a).

After the election of the Coalition Government, a ceiling was imposed on the calculation of the level of Child Care Assistance and the Child Care Cash Rebate (Parliamentary Library 1997). As a result, as costs rose, the gap between fees and the amount of assistance parents received increased. Families with incomes above \$70,000 were limited in how much they could benefit from the child care rebate. In addition, previously when calculating family income for child care assistance, \$30 per dependent child would be deducted, but this was no longer permitted and thus child care became more costly for families with multiple children. "Overall, the changes in the budget substantially increased the cost of formal child care for low-to-moderate income families" (Brennan, 1998: 222).

The amount of care which could be claimed was also limited at this time. Child Care Assistance became limited to 50 hours of care used for employment or training purposes in 1997 and to 20 hours per week for non-employment purposes in 1998 (Parliamentary Library, 1997). In 1998, Child Care Assistance was extended to users of out of school hours care (Brennan, 1998: 218).

On 1 July 2000, as part of a program of broad change to tax policy and family assistance payments (see family assistance, below), the Child Care Benefit was introduced, replacing both previous fee relief payments, the Child Care Allowance and the Child Care Cash Rebate (McIntosh, 2000: 1). Like Child Care Assistance before it, Child Care Benefit is a means-tested payment which tapers out as family income increases. At the time it was introduced the maximum payment was available to families with incomes up to \$28,200 (McIntosh, 2000: 1). The minimum amount of Child Care Benefit was available to families with an

income above approximately \$80,000. Families are only eligible for Child Care Benefit if they use approved formal child care providers or registered informal providers.

Child Care Benefit is indexed to the CPI for all goods and services (AIHW, 2007:42). This means it has not increased in pace with rising child care costs (see Figure 3.1 above).

The Child Care Tax Rebate was introduced in July 2006 (AIHW, 2007: 42). It reimbursed families for 30 per cent of their out-of-pocket child care expenses (i.e. expenses after the Child Care Benefit). However, expenses could not be claimed until the end of the financial year, so it did not reduce the cost of care at the time which families used it.

The cost of preschool varies widely across Australia (Walker, 2004). In general, states do not charge fees but rather seek voluntary contributions from parents. In Queensland, fees are not charged by school based preschools, but other preschools do. In NSW and Victoria the cost of fees can be high. On the whole, the cost of attending preschool cannot be reduced by claiming the Child Care Benefit or Child Care Rebate.

## 4 Family Assistance

Both the Labor and Coalition Governments provided assistance to families to help with the cost of raising children. This assistance went to many families, not just those on the lowest incomes. There were key differences between the Labor Government of 1983-1996 and the Coalition Government of 1996-2007 with regard to payments to families with children. The differences are:

- Payment of benefits to the primary carer (usually the mother) under Labor and to either parent under the Coalition.
- Expansion of family assistance already provided to sole parents to include single income families.
- A preference for cash transfers under Labor and for administering payments through the tax system under the Coalition (although very few families elected to receive their payments this way).
- Tightening of eligibility requirements under Labor, through means-testing and age requirements for children, whereas these aspects of eligibility expanded under the Coalition.

At the time of the 1992 time use survey, most families with children were entitled to Family Allowance payments. Since 1976, this assistance had been paid to families for each child. Originally a universal benefit, by 1992 all Family Allowance payments were means-tested and assets-tested (Parliamentary Library, 1992).

Another family payment was paid in addition to Family Allowance. Family Income Supplement was introduced for low income working families in 1983 and from 1984 payments were made to the person most responsible for the care of children, usually the mother (Parliamentary Library, 1992). This marked a significant shift away from previous patterns of family assistance payments which had been paid to the highest earner in a household. The payment was replaced by Family Allowance Supplement in 1987 (Parliamentary Library, 1992).

In 1992, the Basic Family Payment replaced the Family Allowance, also providing cash transfers to families with children (Mitchell, 1997: 7). As the Basic Family Payment, eligibility was reduced as the income test was tightened. By 1995, the basic Family Payment was paid only to parents caring for children under 16 years.

Home Child Care Allowance was introduced in 1994. This cash-transfer replaced a previous program, Dependent Spouse Rebate, which had provided tax rebates to employees who had a spouse who was not in paid work (Keating, Baldwin and Crowley, 1995: 28). This new payment was part of a shift of funds under Labor from the tax system towards the transfer system. It also further contributed to the transfer of finances in the family from wallet to purse (Mitchell, 1997: 9, 12).

A year later, the Home Child Care Allowance was merged with a new payment, Parenting Allowance, a payment to support parents at home caring for their children. All parents caring full-time at home received the basic rate, and low income families received a higher rate (Keating, Baldwin and Crowley, 1995: 28).

In 1996, the new Coalition Government announced family benefits amendments in its first budget. The Family Tax Initiative, from 1997, provided tax assistance to families by increasing the tax free threshold by \$1000 of one member of a couple (or a sole parent) for each dependent child (Cass and Brennan, 2003: 51). In addition, sole income families (and sole parents) had their tax free threshold raised by \$2500 if a child was aged less than 5 years, plus the income of one parent was less than \$65,000 and the income of the other parent was less than \$4500. By treating family payments as a tax matter, which could be paid to the highest earner in the household, this initiative redirected family assistance to the tax system and to the wallets of breadwinners (Cass and Brennan, 2003: 51). This measure provided significant financial disincentives to women in couples to participate in employment, and disadvantaged low-income dual-earner families, who could not benefit even if their combined income was less than \$65,000.

The scope and method of providing support to families further changed under the Coalition's new tax policy. Introduced in 2000, the "New Tax System" included the Goods and Services Tax (GST), cuts in personal income tax levels as well as a restructuring of family assistance (Cass and Brennan, 2003: 53).

Family Tax Benefit Part A and Family Tax Benefit Part B (and the Child Care Benefit, discussed above) replaced 12 other family assistance payments and tax rebates (Cass and Brennan, 2003: 55)<sup>2</sup>. Family Tax Benefit Part A was means-tested on the joint family income. Family Tax Benefit Part B had no means-testing for the primary earner's income, only the 'secondary' earner's income. Part B was not paid if the secondary income was just over \$10,000 if there was a child aged less than 5 in the household, or \$7500 for older children (Cass and Brennan, 2003: 54). The maximum benefit could only be received if the secondary earner had an income of less than \$1600 per annum. Several years later this earnings disregard was increased to approximately \$4500.

Also in 2000, the amount by which the tax free thresholds were raised for each dependent child was doubled from \$1000 to \$2000. The tax free threshold for single income families was also doubled to \$5000 for each young child (Cass and Brennan, 2003: 54).

Commentators argued that the design of Family Tax Benefit Part B produced strong employment disincentives for mothers (Apps 2004; Hill, 2006), especially when combined with the rising cost of child care for children in their pre-school years (Cass and Brennan, 2003). Economic modelling showed that Family Tax Benefit significantly increased the average tax rates of low and middle income families, Family Tax Benefit Part B in particular (Apps, 2006). On the effect of such high average tax rates, Patricia Apps (2006: 92) concludes:

"If married mothers face average tax rates on their earnings in the order of 50 per cent for part-time and full-time work, and quality child care is not available at an affordable price, it is not be surprising to find that many reduce their hours significantly, or switch from working in the market to working at home entirely. And as a consequence, their productivity in the market work declines, which results in a long term negative effect over the life cycle, in addition to the short term impact when the children are young."

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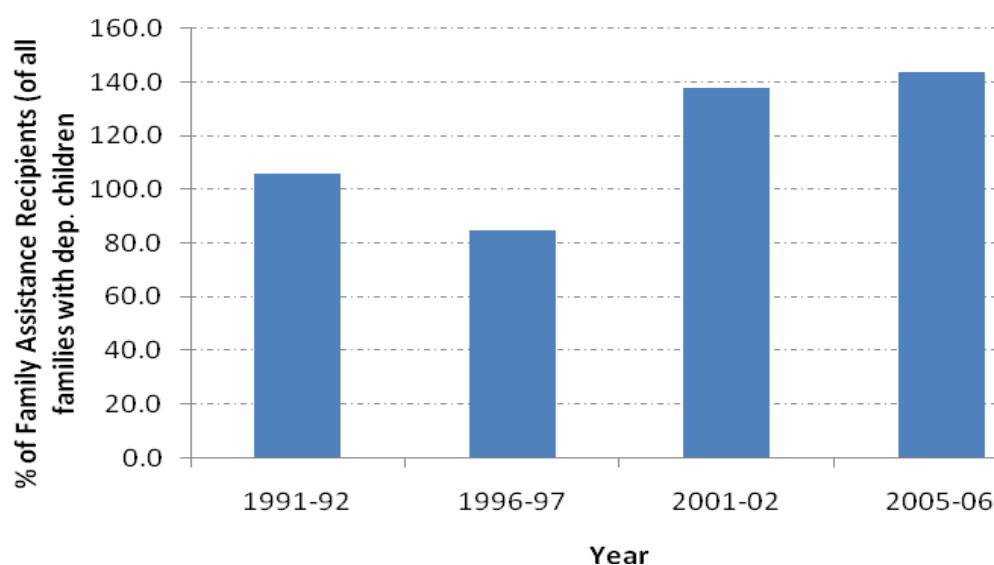
<sup>2</sup> In mid-2008, the maximum rate of FTB Part A was approximately \$150 per fortnight for a child aged less than 13 years. FTB Part B maximum rate was approximately \$130 per fortnight for a child aged less than 5 years.



#### 4.1 Use of family assistance

The proportion of families which received family assistance increased from the Labor to the Coalition years. By summing the total number of family assistance recipients, the following table demonstrates a fall from 1991-92 to 1996-97 in the proportion of families with children aged less than 15 who were claiming Family Allowance and Family Payments from 106 to 85 per cent (Figure 4.1). This proportion increased so that in 2001-02 138 per cent and 2005-06 144 per cent of households received Family Tax Benefits Parts A and B. The proportions are greater than 100 because families with children older than 15 often also received family assistance payments.

**Figure 4.1 Family assistance recipients as a proportion of all families with children aged less than 15**



Notes: 1992-93 Family Allowance and Family Allowance Supplement, 1996-97 Family Payments at Minimum and above Minimum Rate, 2001-02 and 2005-06 Family Tax Benefit Parts A and B.

Source: ABS (1994a, 1998b, 2004a, 2008e) Australian Year Book. Authors' calculations

## 5 Income Support for Parents

The Labor and Coalition governments had different priorities for reform of policies for income support for low-income parents. Labor particularly focused on consolidating payments for different groups of sole parents, so as to no longer differentiate between widows and other sole mothers. The Coalition brought payments for sole and partnered parents together, and introduced a requirement for beneficiaries to engage in employment and training.

### 5.1 Support for sole parents

Federal government income support payments to sole mothers were one of the earliest to be established in the Australian welfare state in the Widows' Pensions Act 1942. Originally available only to women and limited to the widows and 'deserted wives' considered most deserving, by the late 1970s, income support had extended to all sole parents, mothers and fathers, widowed and unmarried (Carney and Hanks, 1994: 210).

In 1989, the separate payments for widows and sole parents were combined into a single payment – the Sole Parent Pension (Parliamentary Library, 1995b). Parents were eligible if they were not a member of a couple, if they met residence requirements and if they were responsible for a child aged less than 16 years old (Carney and Hanks, 1994: 223-7).

From 1990, new rules about eligibility for parents deemed to live in a 'marriage-like relationship' were established, these included living with a person of the opposite sex for more than eight weeks, jointly owning assets with that person and having been married or lived together before (Parliamentary Library, 1995b). Such parents were not eligible for assistance as a sole parent.

Under the Howard Government in 1998, the benefit was renamed again to Parenting Payment Single. The eligibility rules were effectively the same as before.

In 2002, under the Australians Working Together package of reforms to income support, Parenting Payment recipients faced employment-oriented activity requirements for the first time. There was no change for parents with a child aged less than 6 years. Parents with a youngest child aged 6 to 12 years were required to attend an annual interview in order to discuss their employment and training plans. Parents whose youngest child was aged 13 to 15 years were also required to attend an annual interview. From 2003, this group of parents additionally had to agree to undertake 150 hours within a six month period of approved activity, such as employment, training or education.

Eligibility for income support for parents was sharply curtailed from July 2006 under the Howard Government's Welfare to Work program. Parenting Payment Single became available only to sole parents with a child aged less than 8 years. Sole parents with older children were required to apply instead for Newstart Allowance, a payment for unemployed people. From the time their youngest child was 7 years old, regardless of whether they were claiming Parenting Payment Single or Newstart Allowance, sole parents were required to undertake at least 15 hours of employment. If not employed, in addition to seeking employment, they were also to undertake at least 150 hours in a six month period of vocationally-oriented activity.

Newstart Allowance, as an allowance, not a pension like Parenting Payment Single, paid a lower rate of benefit and reduced in value at a faster pace as earnings increase.

Parents claiming Parenting Payment Single prior to 2006 could continue to receive the benefit until their youngest child was aged 16, but had to meet the 15 hour employment rule like their counterparts. If they ceased to claim Parenting Payment Single for a period of 3 months, for example if their income was too high or they repartnered, their eligibility to remain on Parenting Payment Single ceased and they could not return to Parenting Payment Single but had to apply for Newstart Allowance.

## **5.2 Support for partnered parents**

Prior to 1994, parents married to income support recipients did not receive a payment in their own right. Rather, the beneficiary received an 'additional benefit in respect of dependent spouses' (Department of Family and Community Services (FACS), 2001). From September 1994, income support was paid directly to partners as Partners Allowance. A year later, in 1995, eligibility for Partners Allowance was limited to people born before 1955 without dependent children (FACS, 2001). A new payment for partnered parents was introduced at the same time, Parenting Allowance. Eligibility was restricted to families in which the breadwinner received income support payments or a very low income. Like the Sole Parent Pension, payments were made only to those with dependent children aged less than 16. As a result of these two changes, more women received cash assistance directly, rather than as part of their husband's benefits (Mitchell, 1997: 9).

In 1998, the Liberal/National Coalition Government renamed Parenting Allowance to Parenting Payment Partnered. As a result, payments to partnered and sole parents were brought under the one name: Parenting Payment. Significant differences remain, however, as Parenting Payment Partnered is an allowance and Parenting Payment Single is a pension. Pensions offer higher rates of pay, lower taper rates for earnings, and more additional benefits (such as support with bills, medicine and education) than allowances. As an allowance, Parenting Payment Partnered (like Parenting Allowance before it) paid lower rates of benefit than those paid to sole parents, the benefit was reduced more quickly as earning increased, and the benefits attracted fewer additional forms of support.

In 2002 and 2003, Parenting Payment Partnered recipients were required to comply with the same Australians Working Together requirements as sole parents.

From 2006, Welfare to Work changes applied to partnered parent recipients of income support. Like sole parents, the eligibility of partnered parents was reduced, so that instead of being entitled to support if their youngest child was aged less than 16 years, it was only those whose youngest child was aged 6 years or less who could apply for Parenting Payment. This was lower than the limit of 7 years or younger applied to sole parents. Partnered parents with older children had instead to apply for Newstart Allowance.

For partnered parents, the difference between Newstart Allowance and Parenting Payment Partnered related only to activity requirements. The level of benefit and the taper rates were the same.

## **5.3 Use of income support for sole and partnered parents**

The number of Parenting Payment Single beneficiaries increased from 1992 to 2006. In 1992, 287,228 sole parents claimed this assistance, in 1997, 358,893 and in 2006, 395,495

(Table 5.1). By contrast, the number of Parenting Payment Partnered beneficiaries decreased, from 239,488 in 1997 to 144,427 in 2004.

**Table 5.1 Parenting Payment recipients, June 1992 to 2006**

	<b>1992</b>	<b>1997</b>	<b>2006</b>
Parenting Payment Single	287,228	358,893	395,495
Parenting Payment Partnered <sup>a</sup>	-	239,488	144,427

a) Additional Parenting Allowance in 1997.

Source: ABS (1994a, 1998, 2008e), Australian Year Book.

As a proportion of the population aged 15 to 64 years, Parenting Payment Single recipients constituted between 2.5 per cent in 1992 and 2.8 per cent in 2006 (Table 5.2). Partnered recipients made up 1.9 per cent of the working age population in 1997 and 1.0 per cent in 2006.

**Table 5.2 Parenting Payment recipients as a proportion of the working age population**

	<b>1992</b> <b>%</b>	<b>1997</b> <b>%</b>	<b>2006</b> <b>%</b>
Parenting Payment Single	2.5	2.9	2.8
Parenting Payment Partnered <sup>a</sup>	-	1.9	1.0

a) Parenting Allowance in 1997.

Source: ABS (1999, 2007a) Australian Social Trends. ABS (1994a, 1998, 2008e), Australian Year Book. Authors' calculations

## 6 Industrial Relations

Changes to industrial relations policy in the 1990s and 2000s followed a trajectory towards labour market deregulation which first gained momentum in the mid-1980s (Briggs and Buchannan, 2000: i).

In 1992, industrial relations policy was shaped by the ‘Accord’ of the 1980s. The Accord was negotiated between the Australian Labor Party and the Australian Council of Trade Unions in the lead-up to the election of the Hawke Labor Government in 1983. Under this agreement, unions accepted restraint of wages in return for social wage increases in the form of government benefits and services (Brennan, 1998: 165). New forms of support were introduced or expanded for working parents, especially mothers. These included parental leave provisions; part time employment opportunities and Maternity Allowance (Mitchell, 1997: 12).

The Labor Government introduced new legislation in 1993, *Industrial Relations Reform Act*, which established a restricted legal right to strike, unfair dismissal protection, and encouraged enterprise bargaining (King and Stilwell, 2005: 1). The measures it introduced included minimum entitlements for minimum wages, equal pay for work of equal value, termination of employment and unpaid parental leave (Keating, Baldwin and Crowley, 1995: 47). The Australian Industrial Relations Commission was required to examine agreements to ensure that the conditions were not worse than was offered under the award.

In 1995, the Labor Government wrote that it had “encouraged the introduction of more flexible working arrangements through enterprise agreements. Policies such as permanent part time work; job sharing; career break schemes; family leave; and help with child care or the care of older relatives are increasingly being taken up” (Keating, Baldwin and Crowley, 1995: 47).

In the first year of Coalition Government, the *Workplace Relations Act 1996* was introduced. This Act brought in two key changes: the introduction of Australian Workplace Agreements and the limiting of awards to 20 allowable matters (King and Stilwell, 2005: 6). Australian Workplace Agreements allowed individual workers and employers to sign agreements which could override both awards and enterprise agreements, but they could not provide worse conditions than the relevant award. Just over 2 per cent of the workforce was employed under Australian Workplace Agreements from 1996 to 2004 (King and Stilwell, 2005: 7).

The Howard Government radically extended its industrial relations policy program with *WorkChoices*. It has been argued that this is the most substantial industrial relations policy reform in Australia in the past century (van Wanrooy et al., 2007: 12). The legislation, *Workplace Relations Amendment (WorkChoices) Act* was passed in 2005 and the policy was introduced in March 2006. The Act encouraged the use of Australian Workplace Agreements and further simplified awards to just 13 matters (Gray and Collins, 2007:131-2). Under the Act, Australian Workplace Agreements could undercut awards provided they offered five minimum standards:

- Unpaid parental leave of 52 weeks
- Sick or carers leave of 10 days annually

- Holiday leave of 4 weeks per year (2 weeks of which could be bargained away in agreements)
- Minimum wages (at the time around \$13.50 per hour for adults)
- Maximum ordinary work hours of 38 hours per week on average over the year

Dismissal was made easier for employers, especially in workplaces of less than 100 staff. The government advocated for the negotiation of work-family employment benefits in individual workplace agreements, rather than being mandated by government regulation.

Commentators and researchers argued that women, casual workers, young people and low-paid workers were most at risk of poorer employment conditions as a consequence of WorkChoices (Gray and Collins, 2007; Peetz, 2007; van Warooy et al., 2007).

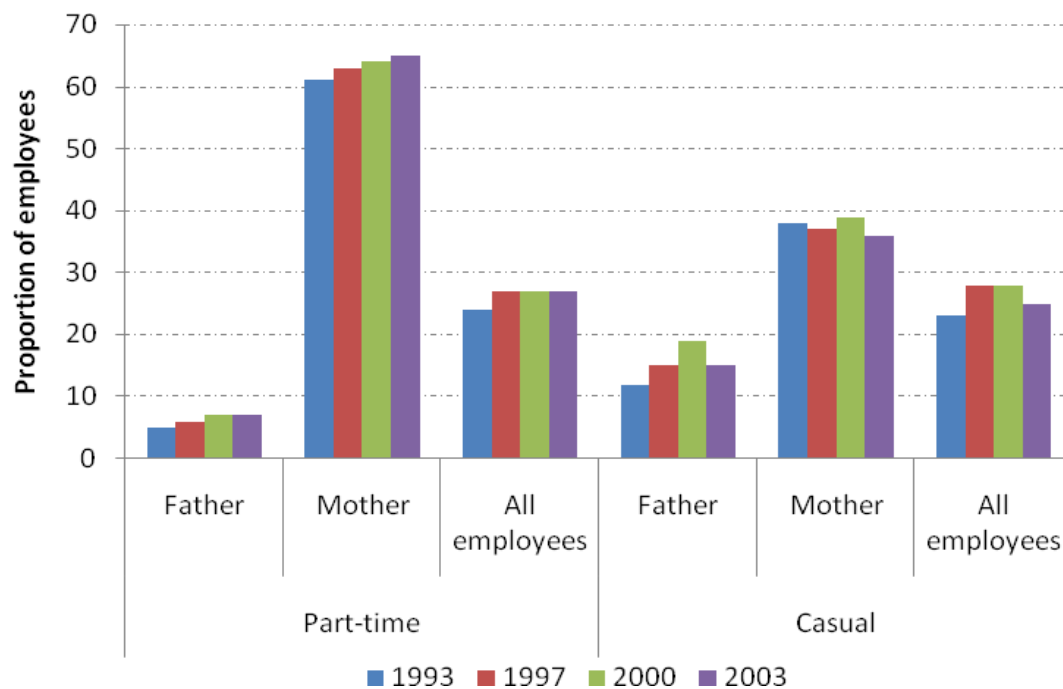
### **6.1 Employment statistics**

In the 1990s and 2000s, patterns of employment changed with rates of casual and part-time employment increasing and levels of union membership falling. Increasingly, parents reported using employment-based arrangements such as flexible hours and permanent part-time work in order to provide care for their children.

There is a high degree of correlation between part-time and casual employment. A large proportion of part-time employees hold casual positions with no holiday or sick leave entitlements, whereas among full-time employees, casual employment is rare. In 2006, for example, 83 per cent of full-time employees had access to paid sick leave compared to just 26 per cent of part-time employees (ABS, 2007b: 28).

The rate of part-time employment among all employees increased from 24 per cent in 1993 to 27 per cent in 1997, where it remained until 2003 (Figure 6.1). Throughout this period, just under two-thirds of mothers worked part-time compared to less than one-tenth of fathers. Part-time employment rates increased from 1993 to 2003 for both mothers and fathers; for mothers from 61 to 65 per cent, for fathers from 5 to 7 per cent.

Casual employment followed a different pattern. The proportion of all employees in casual positions increased from 23 per cent in 1993 to 28 per cent in 1997 (Figure 6.1). From 2000 to 2003, the proportion fell from 28 to 25 per cent. Casual employment among mothers hovered around 38 per cent from 1993 to 2000, dropping in 2003 to 36 per cent. Among fathers, casual employment increased between 1993 and 2000 from 12 to 19 per cent, falling in 2003 to 15 per cent.

**Figure 6.1 Part-time and Casual Employment 1993-2003**

Notes: Mothers and fathers with dependent children aged 0-11 years.

Source: ABS (1994c, 1998c, 2001, 2004b) Working Time Arrangements. Authors' calculations.

The proportion of employees who were a member of a trade union halved from 1992 to 2006 (Table 6.1). In 1992, 40 per cent of employees held union membership. This had fallen to 30 per cent by 1997 and 20 per cent in 2006.

**Table 6.1 Proportion of all employees who are members of a trade union**

	1992 %	1997 %	2006 %
Trade union membership	39.6	30.3	20.3

Source: ABS (2007b) Employee Earnings, Benefits and Trade Union Membership.

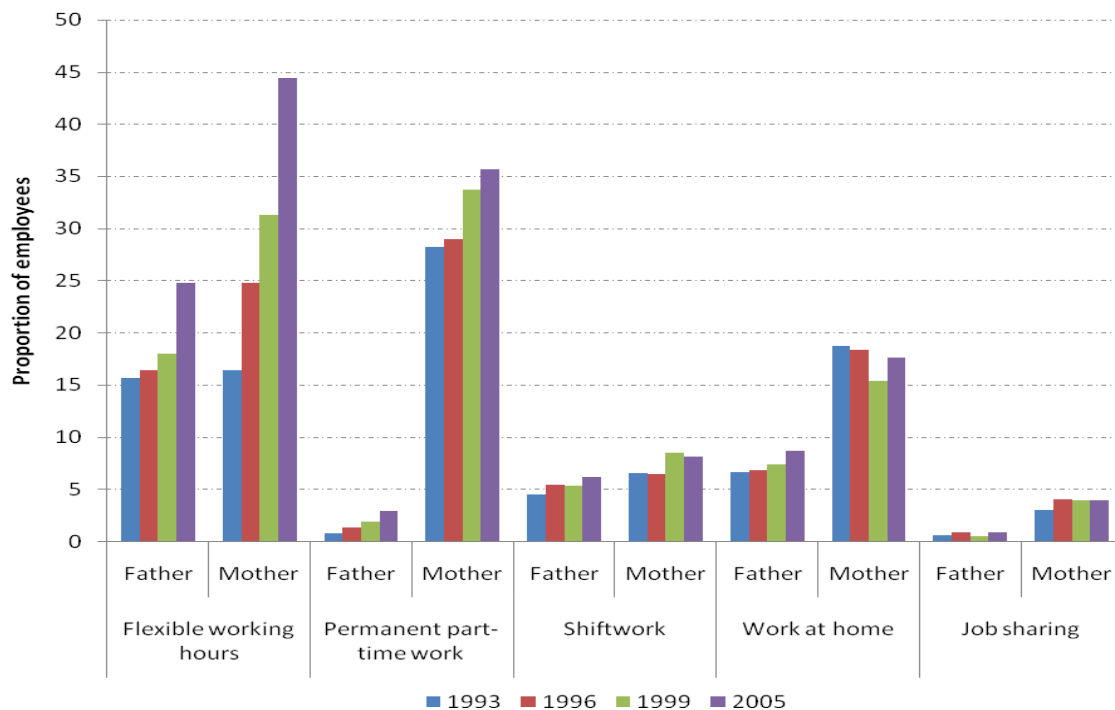
From the early 1990s to 2005, an increasing proportion of employees reported using flexible hours and permanent part-time employment to care for their children. Mothers used these measures most often, particularly permanent part-time work. In 1993, 28 per cent of mothers but less than 1 per cent of fathers said they used permanent-part time work arrangements so as to care for their child (Figure 6.2). By 2005, the rates were 36 per cent for mothers and 3 per cent for fathers.

Mothers and fathers used flexible working hours to a similar extent in 1993, reported in each group by around 16 per cent (Figure 6.2). However, by 2005, many more mothers were using flexible hours (44 per cent) than fathers (25 per cent).

Shift work and working at home were more commonly used by fathers than permanent part-time work, but these were nonetheless more often used by mothers than fathers (Figure 6.2).

Throughout the period, mothers were more likely than fathers to make particular employment arrangements in order to care for their child (Figure 6.2). While fathers did increase their use of these arrangements so did mothers – and the rate of increase for mothers was generally steeper. Therefore, it continued to be women who shaped their employment to accommodate their child care obligations. Increasingly, women’s employment did provide them with these accommodations.

**Figure 6.2 Families with children aged 0-11 years with at least one parent employed: work arrangements used to care for child**



Source: ABS (2006) Child Care Australia; Campbell and Charlesworth (2004). Authors’ calculations.



## 7 Maternity, Paternity and Parental Leave

Many of the developments in maternity, paternity and parental leave in Australia in the latter part of the 20th century were not set by government. There has been a split between policies relating to parenting which have been delivered by government as citizenship rights regardless of employment status, and employment rights which have been determined through the industrial relations system (Whitehouse 2004: 409). As a result, it is the federal industrial relations commission not the federal government which has been responsible for new directions in parental leave in Australia. Policy developments initiated by governments have been modest by comparison. The two different arenas of policy development are outlined below, starting with Industrial Relations Commission test cases before moving to federal government policy.

### 7.1 Industrial Relations Commission test cases

Since the 1970s, a number of test cases significant for maternity leave and family benefits have been put to the industrial relations commission. Test cases typically involve similar cases put forward by a range of applicants seeking a common change to award conditions. The findings of the commission became a new standard which then be applied to other industrial relations awards.

The cases for leave significant to this discussion are:

- 1979 Maternity Leave
- 1985 Adoption Leave
- 1990 Parental Leave
- 1994 Family Leave
- 1995 Personal/Carers' Leave
- 2001 Parental Leave for Casual Employees
- 2005 Family Provisions

An entitlement to unpaid leave for full- or part-time employees was won in 1979 through a test case before the Australian Conciliation and Arbitration Commission (as the Australian Industrial Relations Commission was then called) (Whitehouse, 2004: 409). This provided 52 weeks of unpaid leave to mothers who had worked at least 12 months with an employer. Additionally, it gave them the right to return to their job after leave. Unpaid adoption leave was granted in 1985 and unpaid paternity leave in 1990. The right of casual employees to 12 months unpaid parental leave was granted in 2001. Each of these benefits were included in legislation by Labor in the *Industrial Relations Act 1993* and then by the Liberal/National Coalition in the *Workplace Relations Act 1996* and *Workplace Relations Amendment (WorkChoices) Act 2005* (Whitehouse, 2004: 409; Williamson, 2006: 167).

The most recent Industrial Relations Commission ruling on family benefits was in 2005 in the Family Provisions test case. It ruled that employees covered by awards should have a 'right to request' work/family benefits from their employer (Brennan, in press). The benefits included extending simultaneous unpaid parental leave of two parents in one family of up to

eight weeks; extending unpaid parental leave by up to 12 months, giving a potential total of 24 months unpaid parental leave; and returning from parental leave to part-time employment until the child reaches school age. The employer is required to consider the request and only refuse on 'reasonable grounds' due to the effect on the workplace or business. Around one-fifth of awards had incorporated these changes at the time of the 2006 introduction of WorkChoices by the Coalition Government (Brennan, in press). WorkChoices stopped any further extension of the test case.

## **7.2 Government maternity leave policy initiatives**

Both Labor and the Coalition introduced maternity payments for all or most new mothers. They preferred schemes which did not tie eligibility for payments to mothers' employment.

Shortly before losing the 1996 Federal election, Labor introduced the Maternity Allowance, a one-off payment to families on the birth of a child. Most families could claim this assistance because, although means-tested, the top income threshold was high, excluding only one-tenth of families (Mitchell, 1997: 9). The government estimated that 85 per cent of new mothers would be eligible for the payment (Keating, Baldwin and Crowley, 1995: 30). At the time it was introduced, the payment (\$816) was equal to six weeks of Parenting Allowance. The Labor Government said of the payment "This is a landmark achievement for women, recognising that the majority of women are not entitled to paid maternity leave" (Keating, Baldwin and Crowley, 1995: 30). However, the payment was seen as significantly compromised by many for being means-tested, for not being tied to employment and for being the equivalent of six weeks leave, not the International Labour Organization standard at the time of 12 weeks (Baird et al., 2002: 6).

The Howard Government explicitly argued against employment-based maternity leave entitlement, which, it felt, would 'discriminate' against mothers who were home-based (Brennan, in press). Its response to sustained lobbying for a national paid maternity leave scheme, for example from the Human Rights and Equal Opportunity Commission (2002), was a new, more generous, maternity payment. Known as the 'baby bonus', this payment was first paid in 2004. It was initially a lump-sum payment of \$3000 made after the birth of a child (O'Neill, 2004: 9). It was increased to \$4000 in 2006 (Hill, 2007: 237).

## **7.3 Use of paid and unpaid maternity leave**

Men and women have very different patterns of leave use following the birth of a child. Most mothers take 3 months or more, whereas nearly all fathers take less than 6 weeks of leave (Table 7.1 and Table 7.2). Mothers tend to use unpaid leave, or to cobble together a combination of paid, unpaid and other leave arrangements. Most of the short leave which fathers take is paid.

Between 1996 and 2002, there was little change in women and men's patterns of leave upon the birth of a child (Table 7.1 and Table 7.2). Mothers' use of leave changed more than fathers' did. While most mothers continued to take 3 or more months of leave, the proportion who took between 6 weeks and three months leave increased from 8 to 12 per cent. In 2002, more mothers used paid leave and fewer left their employment entirely than in 1996.

Notably, the proportion of mothers using only paid leave after the birth of their child nearly doubled from 12 to 23 per cent (Table 7.1 and Table 7.2). The increase in unpaid leave occurred primarily in the case of leave for more than 3 months.

There was almost no change in new fathers' leave patterns from 1996 to 2002 (Table 7.1 and Table 7.2). This was particularly the case in the length of time men took for leave. While 96 per cent of fathers took less than 6 weeks leave in 1996, this was 94 per cent in 2002. In 2002, fathers were slightly more likely to take paid or unpaid leave and fewer men used combinations of paid, unpaid and other leave arrangements.

**Table 7.1 Employees with children aged less than 6 who took a break when the youngest child was born, 1996**

	<b>Paid leave only</b>	<b>Unpaid leave only</b>	<b>Paid &amp; unpaid leave or other arrangements</b>	<b>Total</b>	<b>Left the labour force</b>	<b>Total</b>
<b>Length of break</b>	<b>Males (%)</b>					
Less than 6 weeks	78.8	8.9	7.4	95.2	0.8	96.0
6 weeks to less than 3mths	1.9	0.3	0.6	2.8	0.1	2.9
3mths to <6 mths	0.1	0.1	0.1	0.3	0.2	0.5
6mths to <1yr	0.0	0.2	0.0	0.2	0.0	0.2
1yr+	0.0	0.4	0.0	0.4	0.0	0.4
<b>Total</b>	<b>80.9</b>	<b>9.8</b>	<b>8.1</b>	<b>98.9</b>	<b>1.0</b>	<b>100.0</b>
	<b>Females (%)</b>					
Less than 6 weeks	3.1	3.2	0.2	6.5	1.5	8.0
6 weeks to less than 3mths	2.6	3.7	0.7	7.0	1.4	8.4
3mths to <6 mths	4.1	12.2	4.3	20.6	2.5	23.1
6mths to <1yr	1.7	11.3	7.6	20.6	9.4	30.0
1yr+	0.8	9.4	6.5	16.8	12.5	29.2
<b>Total</b>	<b>12.3</b>	<b>39.7</b>	<b>19.4</b>	<b>72.4</b>	<b>27.6</b>	<b>100.0</b>

Source: ABS (1997b) Career Experience Australia. Authors' calculations.

**Table 7.2 Employees with children aged less than 6 years who took a break when the youngest child was born, 2002**

	<b>Paid leave only</b>	<b>Unpaid leave only</b>	<b>Paid &amp; unpaid leave or other arrangements</b>	<b>Ceased work</b>	<b>Total</b>
<b>Length of break</b>	<b>Males (%)</b>				
Less than 6 weeks	78.5	11.3	3.8	0.5	94.2
6 weeks to less than 3mths	2.3	0.4	0.2	0.0	2.9
3mths to <1yr	0.8	0.2	0.4	0.0	1.4
1yr+	0.0	0.0	0.0	0.1	0.1
Currently away from work	1.1	0.2	0.2	0.0	1.4
Total	82.8	12.1	4.5	0.6	100.0
	<b>Females (%)</b>				
Less than 6 weeks	2.7	2.4	0.8	0.7	6.6
6 weeks to less than 3mths	3.6	5.3	1.4	1.6	11.9
3mths to <1yr	9.3	23.1	11.9	6.5	50.8
1yr+	3.7	7.4	4.8	8.7	24.5
Currently away from work	3.7	1.1	1.3	0.0	6.1
Total	23.1	39.3	20.2	17.6	100.0

Source: ABS (2003c) Career Experience Australia. Authors' calculations.

## 8 Campaigns to change the gender distribution of unpaid labour

The policy measures to address the balance of paid employment and unpaid domestic and care work described in this report have tended to assume that the primary responsibility for unpaid work lies with mothers. At the very least it can be said that the policy measures have not attempted to engage with how women and men share the work of the home.

This report closes by describing the one small Australian Government campaign conducted since the early 1990s which directly encouraged men to increase their contribution to domestic labour. In 1992, the Labor Government funded a media campaign to encourage men to share unpaid work in the home (Bryson, 2001: 21). *Working Families Program* was undertaken by the Office for the Status of Women. The program included:

- a report by Michael Bittman (1991), *Juggling Time: How Australian Families Use Time*
- *Working Families: Sharing the Load Issues Kit* – information for the media.
- *Another Tuesday Night* – a 13 minute video drama about a family learning to resolve conflict around domestic labour.
- Occasional newsletters and six posters

A core component of the campaign was a resource kit titled, *Working Families, Sharing the Load: Resource Material for Parent Educators and Families*, the kit was designed to be used by family educators, such as those who teach pre-marriage, childbirth, parenting, pre-natal classes. The kit intended “encourage people to re-think assumptions about the roles of mother and father, and to canvass new information, perspectives and choices for successfully combining paid jobs and family life” (Office for the Status of Women, 1992: 1).

## 9 Conclusion

The following conclusion draws some connections between various policy trends and the social and demographic changes which occurred in the Keating and Howard years.

Firstly, it seems possible that the Coalition Government support for a particular family type, the male breadwinner household, (shown in particular by the design of the family assistance system) had some effect on the pattern of family employment. Not, as might be expected, in the proportion of couple families supported by a sole earner, as this declined in the decade under Prime Minister John Howard. Rather it was the proportion of one-and-a-half earner families, a family type described by Mr Howard as ‘the policeman and the part-time sales assistant’ (Howard, 2003), which increased as a proportion of couple families (by 10 percentage points). In the five years from 1992 to 1997, the proportion of one-and-a-half earner couple families had decreased while the proportion of dual full-time earners increased. This trend stopped and reversed under Mr Howard.

At the same time, the value of the income earned from employment did not increase as quickly for women as it did for men. From the early 1980s to the mid 1990s, women’s income, as a proportion of all income, rose steadily. However, in the following decade it plateaued, barely changing at all. Although increasing numbers of women have entered employment, they are strongly represented in part-time positions. That women’s earnings were part-time provides some of explanation for why their income did not continue to increase (ABS, 2008d: 155). Fewer employees had trade union support in employment negotiations, as trade union membership declined sharply from the early 1990s to mid-2000. Many female employees, because of their nature of their jobs, and as part-time workers do not have the same level of bargaining power as other workers. In an increasingly decentralised industrial relations environment, women were correspondingly less likely to be in a position to demand growing wages.

In employment contract negotiations, women have traded rising earnings for increased employment flexibility, which might enable them to care for their children. The changes were most notable in the form of part-time work and adjustable work hours, which were used by a greater proportion of women in the mid 2000s than in the early and mid-1990s. Both Labor and the Coalition encouraged employment-based solutions to child care arrangements, albeit through different mechanisms – for Labor enterprise agreements, for Coalition individual contracts. Use of flexible hours and permanent part-time employment increased steadily and strongly from the early 1990s to the mid 2000s, especially among women, who were already much more likely to use such measures than men.

Mothers may have found these employment arrangements necessary, as the cost of child care increased at a rate considerably higher than the CPI under both the Labor and Coalition Governments. The increase was particularly strong in the years after 2002. Throughout this period, there was a decrease in the proportion of families who could not find the formal care they needed for their children, and, despite the rising costs, fewer families reported the price of formal child care as a barrier to accessing care. Nonetheless, many families continued to report being unable to find a formal child care place for their child.

With regard to maternity leave, there was little development in government policy, and patterns of leave arrangements on the birth of a child changed hardly at all from 1996 to 2002. Men’s periods of leave remained short and largely paid, whereas women continued to take much longer leave. By 2002, a greater portion of women’s leave was paid, but many

continued to use unpaid leave. While most women continued to take periods of leave of 3 months or more, the proportion returning before three months increased.

Also during this time, levels of poverty increased. Rates of relative poverty rose from the early to late 1990s, and rose even more sharply in the five years to 2003-04. However, child poverty, and therefore poverty in families, did not rise, probably due in part to the widespread availability of family assistance payments (Saunders and Hill, 2008).

Under the Labor Government, eligibility for family assistance payments were tightened. This was reversed under the Coalition government. However, although family assistance payments during the Howard years became available to more families, eligibility was particularly tied to women's very limited participation in employment. Mothers claiming income support faced very different requirements in the Howard years, as they needed to participate in employment, education or training in order to remain eligible for benefits.

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