



Changing Workplace Culture

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IN 1986, THE HAWKE LABOR GOVERNMENT strengthened its legislative program to remove discrimination against women in the workforce through the Affirmative Action (Equal Employment Opportunity for Women) Act (1986). The legislation, unlike its sister legislation, the Sex Discrimination Act (1984), is not based on individuals lodging complaints.

Instead, higher education institutions and larger employers are required to introduce procedures to identify practices giving preferential treatment to men, and to change these practices to allow men and women equal opportunity to develop their potential. Implementation of the affirmative action legislation should serve a preventative function, reducing the need for complaints of sexual discrimination in the future.

Higher education institutions, and private sector employers and voluntary bodies with more than 100 employees are required by law to follow an eight-step plan: a senior officer has to be assigned responsibility for the EEO program, a company statement on EEO must be developed, consultations with trade unions and employees are required, selection, training and promotion procedures need vetting for gender bias, an employment profile broken down by gender and position must be compiled, and future goals and targets for the workplace have to be specified, with provision for regular internal review of the organization's progress.

Through implementing their EEO programs employers and employees alike are expected to gain insights into the way in which their work practices advantage men and disadvantage women. Problems can be corrected without attracting outside attention and government interference. The only form of accountability required under the legislation is for em-

ployers to report on their progress, annually and in writing, to the Director of the Affirmative Action Agency. Failure to do so results in companies being named in the Federal Parliament. More recently, penalties have been extended so that companies can be denied federal government contracts if they have not complied.

The purpose of the Affirmative Action Act was to give impetus and direction to changing the culture of the workplace. Early advocates realized the limits of law for achieving the changes they wanted and expected progress to be slow. The model for change was based on building commitment to the goals of the legislation among the business community, the higher education sector, the trade union movement, the women's movement, and government. With the clear intention of maintaining the cooperation of all major groups, the legislation was very much consensus based. It had a strong self-regulatory component: No one could check an employer's progress except through their written annual reports lodged with the Agency.

The Act explicitly denied any intention of overriding the merit principle. While workplace practices were expected to change, all positions were to be filled by the best person available for the job. And perhaps, most strikingly, the legislation gave autonomy to companies to determine their own rates of change.

Compliance with the legislation in terms of reporting to the Affirmative Action Agency has been remarkably high. But the quality of the programs has been judged widely as less than impressive. These concerns have mushroomed as further evidence accumulates that employment profiles have changed little, women are still absent from senior positions, and men's wages continue to outstrip women's.



The most popular explanation given for why the workplace has not changed in response to the Affirmative Action Act has been the inadequacy of the legislation itself. Critics have called it a 'toothless tiger' because of its limited scope for sanctioning non-compliant employers. Others have been concerned about lack of specificity, arguing that the wording of the Act leaves too much open to interpretation. Over time, the Affirmative Action Act has acquired the aura of a poorly drafted piece of legislation, leaving bureaucrats and EEO officers in the dark as to what constitutes compliance. The 1992 Effectiveness Review of the Act, therefore, heard calls for stronger sanctions as well as the specification of benchmarks and performance standards.

ALTHOUGH STRONGER SANCTIONS and more specific implementation guidelines could change workforce profiles and compliance statistics, there is no reason to assume that the desired change in workplace culture would also occur. Workplace culture is much more than a set of performance indicators. It refers to the shared understandings that men and women have that make it possible for them to act in concert with each other. To change culture is to re-socialise every man and woman according to a shared vision of how the workplace should operate.

Changing workplace culture is slow and sometimes difficult. Organisations must take time to be self-reflective and self-critical, to commit themselves to problem-solving strategies and to be open to new ideas, to involve all employees in their deliberations, and to have the determination to follow through with action plans. At the time of drafting the affirmative action legislation, the Business Council of Australia and the Confederation of Australian Industry put their weight behind the legislation to ensure that 'meaningful and effective reform in the longer term interests of women in the workforce' became a reality. They established their own Council for Equal Opportunity in Employment to assist the private sector develop their programs. The combined forces of this Council and the Affirmative Action Agency should have been sufficient for Australian organisations to rise to the challenge laid down by the legislation.

Eight years on, and with a few notable exceptions, the changes have been at best limited, and at worst cosmetic. The recession and the associated shrinkage of resources must assume some blame. There is reason to believe, however, that the legislation overestimates the sophistication of Australia's private and tertiary education sector and their will to honour their part of the bargain. The cooperative basis of the legislation has been abused widely, partly through ignorance and partly through dismissing the legislation as unimportant. Research findings suggest that organizations have been neither willing nor able to look at themselves critically, they have been reluctant to involve their employees in serious consultation to bet-

ter understand the ways in which some are advantaged over others, and they have shirked their responsibility for making the hard decisions about who is to lose their advantage.

Reactions to the Affirmative Action Act were captured in a study of 153 organisations randomly selected from the public report data base compiled by the Affirmative Action Agency. The majority of EEO contacts saw the legislation as reasonable, legitimate and even helpful in making them aware of the better ways in which they could utilise women's skills.

At the same time, organisations were remarkably resistant to the idea that sex discrimination was a problem. Furthermore, they recoiled from any suggestion that some groups who have been discriminated against in the past may need assistance to become fully integrated into the workforce. These two attitudes capture the major stumbling blocks to giving women an equal footing with men in the workplace in Australia.

Lack of awareness of discrimination in one's own backyard is not surprising given the degree to which the workforce is segregated both horizontally and vertically. The majority of women do different jobs from men and have little representation at the levels of senior management. Women are virtually absent from Australian boardrooms. It is easy to see how information that is freely circulated among female workers never reaches the ears of those who are in a position to do something about it. With such distinctively different social networks, some EEO officers see little point in doing anything but patiently wait for the new generation of directors to come on board, a generation who have learnt about sex discrimination through the experiences of their wives and daughters. At the other extreme are formal complaints to the Human Rights Commission under the Sex Discrimination Act. There is a growing body of evidence that companies and tertiary institutions become more attentive to the effectiveness of their EEO programs when their resources are diverted to legal wrangles that may ultimately threaten their reputations.

Is there a better strategy for improving communication between those who bear the brunt of discrimination and those who can do something to prevent it? Step 4 of the Affirmative Action Act, consultation, stands out as being remarkably efficient and effective if implemented properly. The public reports, however, show that fewer than 20 per cent of business units have consulted with all staff on EEO issues. Even where Step 4 has been undertaken, the form of consultation often leaves much to be desired. Too frequently, management maintains high control over communications to ensure that they are not 'opening a can of worms' and to guard against 'raising women's expectations'. Companies that take slices through their organisation, bringing people together who do not normally have contact with each other, to identify problems, share ideas and propose solutions are rare.

Yet it is only in these settings where a dialectic is possible that different understandings confront each other and new shared understandings unfold.

While consultation is the antidote for lack of awareness, removing discrimination requires hard decisions and leadership. The second impediment to change, that special consideration for under-represented groups is neither practical nor desirable, is deeply entrenched in many work cultures. The principle has not stood in the way of family programs which are seen to benefit all (e.g. child care, parental leave), but it has stood in the way of training programs, positions and promotional opportunities set aside specifically for women. Those who have opposed affirmative action programs on principle adopt a highly individualistic analysis of the problem. Denying history and the legacy of past discrimination, they call for a clean slate, and express faith that the race can be run fairly and squarely from this point on. The alternative view is that sex discrimination has shaped the behaviour of men and women for centuries. To legislate against sex discrimination and blow the whistle for the race to begin is as futile as legislating against bound feet and then proclaiming that everyone has equal opportunity to run the mile and win. Out of these opposing views arises the moral dilemma of affirmative action: Do we cling to the rules of the game and sacrifice the contribution of individuals who cannot play by these rules or do we change the rules so that all groups can participate?

It is indisputable that by changing the rules, those who currently are advantaged lose ground. But the specification of the rules should not be determined by the preferences of those who win. The major criterion should be how best our institutions meet the needs of our society. Increasingly, those involved in management research and practice are recognizing the inevitability of heterogeneous workforces and the necessity for accommodating human diversity, even harnessing it as a new resource that can add vitality and the competitive edge.

A philosophy of managing diversity means that all employees cannot be treated in the same way and that different programs must be put in place to cater for different gaps in knowledge and skills. The first Director of the Affirmative Action Agency, Valerie Pratt, was quick to recognise the opportunities that this management strategy offered women. Under her leadership, the Affirmative Action Agency became adept at identifying the legislation as 'a blueprint for good management of human resources'.

WHILE THE CONCEPT OF MANAGING DIVERSITY has been in the interests of furthering women's full participation in the workforce, there are limits to its success. Managing diversity may take the form of moulding employees to existing work structures rather than allowing work structures to change to suit the lifestyles

of employees. There is the risk that certain types of diversity will be deemed more manageable than others because they fit the organisational mould and fail to challenge practices that are unjust and exploitative. In Clare Burton's words, managing diversity 'allows much that needs to be changed to be left intact'.

The potential of the human resource management philosophy for changing work cultures is highly dependent on regarding diversity as an enriching and precious attribute, to be nurtured rather than controlled. Where management is open to institutional reform to capture new talents and skills, the Affirmative Action Act has the opportunity to become a vehicle of change. In such environments, the legislation points to women as an undervalued resource and legally empowers them to voice their frustrations about under-representation and inadequate recognition of their skills and talents.

With open and adaptive management and the Affirmative Action legislation, women are ideally placed to be heard, noticed and influential. Within Australian organisations there are pockets of activity where committed and well-networked women are showing that different communication styles, different work practices and different leadership styles enhance work effectiveness. Their accomplishments challenge dominant conceptions of the qualities that make for 'success' and ultimately will uncover the biases inherent in the sacrosanct phrase, 'appointment by merit'.

Challenging and changing workplace culture is a battle which must be fought on many fronts. Strengthening the legislation through negative and positive sanctions will increase the priority given to EEO programs. Providing more specific guidelines for implementation will make inaction inexcusable. At the same time, philosophies of best business practice label resistance to EEO inefficient and noncompetitive. Just as there are many institutions that have acted in concert to marginalise women in the paid workforce, many institutions must be put in place to clear the way for women's advancement.

Ultimately, however, the effectiveness of these institutions depends on willingness to use them. As Naomi Wolf has recently pointed out in *Fire with Fire*, women run the risk of failing to take advantage of 'the open moment'. Many have looked to the legislation, expecting it to deliver equality on a plate. Others have been content with their lot, maintaining that discrimination in the workplace is not their concern. Yet, if women mobilise, share a vision of the way in which the workplace should function, negotiate for change and take what is rightfully theirs, the wave of change toward a gender-fair workplace will be unstoppable. ■

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