



NEW ZEALAND COUNCIL OF TRADE UNIONS
Te Kauae Kaimahi

**Submission to the
New Zealand Non-Government Organisation's Shadow Report 2010
The Convention for the Elimination of all Forms of
Discrimination against Women (CEDAW)**

INTRODUCTION

1. The New Zealand Council of Trade Union (CTU) Women's Council is pleased to make a submission to the Non Governmental Organisations (NGOs) Shadow Report on the Convention for the Elimination of Discrimination against Women (CEDAW).
2. Women constitute over half of the CTU's membership of 350,000 workers. This makes it one of the largest democratic organisations of women in New Zealand. The CEDAW Convention is critically important to the union movement both nationally and internationally.
3. While the CTU Women's Council is concerned about all of the issues affecting women, this CTU response to the Shadow Report focuses primarily on employment. The CTU response has a very strong focus on pay and employment equity because of the centrality of pay and employment equity to almost all employment issues affecting the women our unions represent. We see pay and employment equity as a key component of a range of policies that can contribute to narrowing the gender pay gap and improving workplace equity for women, including collective bargaining, the minimum wage, paid parental leave, flexible work arrangements and early childhood education access.
4. The CTU is an active member of the Pay Equity Challenge Coalition. The CTU and the Pay Equity Challenge Coalition share many positions in common. The CTU submission

contains some material from the Pay Equity Challenge Coalition where the same positions are held. The CTU submission also comments on wider aspects of education as well as education in relation to pay and employment equity.

RECOMMENDATIONS

5. The CTU strongly recommends that the New Zealand CEDAW Shadow Report on the:

- Regressive action by the current government in relation to achieving pay and employment equity in the public sector, Crown entities, state owned enterprises and local government by:
 - Closing the Pay & Employment Equity Unit in the Department of Labour
 - Axing the pay investigations of female dominated occupations to assess and negotiate equal pay for work of equal value, including the two already completed
 - The lack of commitment to implement the pay and employment equity reviews in the core public health and education sectors
- Lack of legislative mechanisms to operationalise and implement the principle of equal pay for work of equal value
- Lack of improvement of paid parental leave entitlements and the exclusion of seasonal and casual workers from paid parental leave entitlements
- High prevalence of low pay among women workers especially those in part time and precarious work and the low minimum wage that disproportionately impacts on women
- Lack of promotion and support to implement flexible working hours legislative arrangements
- Need to promote collective bargaining that would improve wages and employment conditions for women.

A. PAY AND EMPLOYMENT EQUITY

6. The current New Zealand government has taken significant backward steps on pay and employment equity. This is not only in breach of our obligations under CEDAW but also our obligations under other ratified international Conventions: ILO 100 Equal Remuneration and ILO 111 Equal Employment Opportunity (Core ILO conventions) and the UN Universal Declaration on Human Rights.
7. We note the observations of the ILO Committee of Experts on the Application of Conventions and Recommendations 2008: “The Committee urges the Government to

consider amending its equal pay legislation at the earliest opportunity, so as to provide not only for equal remuneration for equal, the same or similar work, but also to prohibit pay discrimination that occurs in situations where men and women perform different work that is nevertheless of equal value”.¹

Regressive Steps on Pay Equity

8. In 2009 the incoming National Government disestablished the Department of Labour’s Pay and Employment Equity Unit and discontinued pay investigations in the public sector, removing the policies and processes that underpinned a strategic and comprehensive approach to improving pay and employment equity. The Unit was established in 2004 to oversee the Pay and Employment Equity Action Plan (the Action Plan). The outcome sought by phase one of the Action Plan was that remuneration, job choice and job opportunities in the public service, public health and public education sectors were not affected by gender. The Unit developed gender neutral job evaluation tools and other related resources and provided expert support for the development and implementation of pay reviews/audits and pay investigations. This was undertaken using a tripartite process involving government, employers and unions. In 2007 the Action Plan was extended to phase two organisations: Crown entities and local government. Reviews in the public sector (phase one of the Action Plan) were largely complete by 2009, but the implementation of response plans is still in the early stages for a significant number of organisations. Phase two was in the early stages of development.

Pay Investigations

9. The axing of pay investigations blocked the next step of addressing discriminatory pay rates and other gender equity issues in workplaces. It blocked any potential for submitting remedial pay settlements for these groups of disadvantaged women workers, had the pay investigations identified pay gaps caused by gender discrimination. The government stated that pay equity investigations were discontinued because ‘they generated an additional form of remuneration pressure that is unaffordable in the current economic and fiscal environment’.² The decision immediately affected pay investigations that had been undertaken for two female-dominated occupations (special education support workers and social workers).

¹ Observations of the ILO Committee of Experts on the Application of Conventions and Recommendations, 2008.

² T. Ryall, Minister for State Services, Media Release, 19 February, 2009.

Progress Achieved

10. Though slower than hoped for, steady progress had been made from 2005 to 2009, with pay and employment equity reviews and response plans completed in 64 public sector organisations. These included review processes in the public health and education sectors with response plans developed that were, or were to be, implemented and monitored across the sectors. Reviews were also undertaken in the kindergarten sector and in the tertiary education sector. As part of phase two of the Action Plan, a small number of crown research Institutes and local government organisations completed reviews and response plans. By June 2009, 214,470 employees - almost 1 in seven employees - had been covered by pay and employment equity reviews.

Findings from Pay and Employment Equity Reviews

11. The analysis of information from the reviews provided robust evidence of widespread and serious gender pay and employment equity issues. A wide range of issues were identified and the pay and employment equity review model supported the development of solutions. All except one review found gender pay gaps in full time earnings within their departments, varying from 3% to 35% gender pay gaps.
12. Many reviews found that part-time workers - of whom the majority are women –were disadvantaged in terms of training, development and career progression. Women were also more likely to be employed on temporary contracts. Reviews found that women were more likely than men to report fairness and respect issues and to lack confidence that the organisation would effectively address these.³ Other common findings included:
 - Women and men received unequal starting salaries for the same job
 - Female dominated jobs were lower paid than male dominated jobs
 - Gender inequalities were found in pay progression and performance pay
 - Women predominated in the lowest paid staff and were a minority of those in the best paid jobs, and
 - Women had a smaller share of additional rewards, such as employer-funded superannuation, premiums and bonuses.

Current Government Policy

13. Despite the strong evidence showing the widespread gender discrimination in the public sector the Pay and Employment Equity (P&EE) Unit was closed. That closure directly removed the support required for the implementation of response plans, for advice, for

³ Hall, P. *Public Sector Pay and Employment Equity Reviews: Overview report*. Pay & Employment Equity Unit, Department of Labour. 2009.

training, for resources, any more reviews and the continuation of the next phase of the Action Plan.

14. The CTU therefore disagrees strongly with the view that the Government expressed in its October 2009 report to the UN, on implementation of Beijing + 15, stating that the Unit had been dismantled 'following the completion of its work'.
15. While the CTU has received advice from the Department of Labour stating that 'current government policy supports the continuing implementation of employment equity response plans (excluding pay investigations of female dominated occupations) there is no active available government support for the reviews and other P&EE processes. It is also noted that while in 2008 the government committed to annual monitoring and reporting of equal employment opportunity data for the state sector⁴ no report has yet been published. In the absence of such reporting it is not possible to assess the impacts of current government policy.
16. After the closure of the P&EE Unit, the Government announced that it was committing \$2million over four years to the Ministry of Women's Affairs to continue a further research and policy work programme on pay and employment equity. The Ministry of Women's Affairs is a small policy ministry and cannot provide the hands-on, practical support to implement pay and employment equity in workplaces that until 2009 was provided by the P&EE Unit.
17. It is the CTU view that there is no need for further research on pay and employment equity in New Zealand. There is an already substantial body of both international and national research on pay and employment equity. In 2004, the New Zealand P&EE Taskforce commissioned 12 related research reports. The wealth of empirical evidence from pay and employment equity reviews strongly supports that the need is for an action response plan rather than more research.

The Private Sector and Pay Equity

18. Though the tools developed by the P&EE Unit were available to be used in the private sector, there has been no strategy since 1991 to require private sector employers by law to address employment equity in the private sector.
19. An Employment Equity Act was introduced by the Labour Government in 1990 but repealed within months by the incoming 1990 National Government.

⁴ State Services Commission, *Equality and Diversity – Guidance for Applying the New Public Service EEO Policy*, State Services Commission, 2008,

20. The Equal Pay Act 1972, Human Rights Act 1993 and Employment Relations Act 2000 only provide complaints processes for individual employees who have evidence of discrimination on grounds of sex. There is nothing in current legislation to assist women and their unions to raise, investigate or negotiate equal pay for work of equal value in different jobs or occupations requiring similar levels of skill, qualifications, responsibility and effort.
21. Although the Equal Pay Act and its definitions apply, no legislation puts the onus on employers (state sector or private) to assess or demonstrate equitable employment, or names equal pay, equal pay for work or equal value and equal employment opportunities as issues on which unions have a right to negotiate.
22. Employment equity provisions are needed in legislation that enable comparisons of job size and pay between different male- and female-dominated occupations across the labour market, not just within an organisation but also within multi-employer groups. Only a legislative approach will have the potential to impact on the gender pay gap in the private sector. A voluntary approach is highly likely to be ignored.

B. MATERNAL EMPLOYMENT PROTECTIONS

Paid Parental Leave (PPL)

23. While good progress was made from 2003-2007 in introducing entitlement and provisions for paid parental leave for working mothers, New Zealand's PPL entitlement now lag behind other comparable countries. A review by the Government of the PPL Act has been delayed. An initial working paper to review the PPL Act in 2009 signalled that the review view was limited to low or no cost options because of the economic climate. The review is still on hold as far as is known.
24. From 1 July 2010 the maximum parental leave payment is \$441.62 per week. The payment level is \$68.38 below the minimum wage. New Zealand does not meet the ILO Maternity Convention standard of payment to mothers of $2/3^{\text{rd}}$ of previous earnings. This is largely in part to do with paid parental leave payments in New Zealand being funded by taxation and not through employer subsidies. However a proxy of $2/3^{\text{rd}}$ of the average wage could be used. This would raise the PPL rate up above the minimum wage level (\$12.75 an hour) thus reinforcing the need to increase New Zealand's minimum wage threshold.

25. An estimated 10% of women who should be eligible for PPL are excluded because of their employment status. The New Zealand Council of Trade Unions wrote to the Ministry of Labour in December 2009 saying that any review of the PPL should address, as a first priority, the exclusion of working mothers to PPL. Excluded from access to the scheme are seasonal workers and casual workers. These workers are more likely to be low paid women. Workers who have changed employers within six months of applying for PPL leave are also ineligible under the current criteria.
26. Improvements need to be made to increase the PPL time period. The 14 weeks paid leave, while meeting the ILO standard, is not enough. An evaluation of PPL ⁵found that women were returning to work early because of financial constraints. The evaluation found that women want to take a year off but are returning after six months and citing financial pressures as the reason.
27. The CTU policy supports the progressive extension of PPL entitlement to 52 paid weeks for the eligible parent and an additional 4 weeks paid paternity/ partner leave.

Breast Feeding at Work

28. Since 1 April 2009, employers are required as far as “is reasonable and practicable” to provide appropriate breaks and facilities for workers to breastfeed their children or express milk during work hours. A Code of Practice has been established for employers, to provide information on what the legislation means.
29. New Zealand’s breastfeeding rates are still in need of improvement, with less than 30% of babies being breastfed beyond six months. These rates could be improved if breastfeeding breaks were paid and not left to the discretionary decision-making of individual employers. This position is supported by Maternity Protection Convention ILO No 183 which states that breastfeeding breaks or a reduction in hours are working time and should therefore be paid.
30. The new legislation introducing breast feeding breaks and facilities in the workplace, has yet to be tested – both to what is reasonable and practicable, and to whether there has been any positive impact on access to breastfeeding at work. An area of focus for unions is for collective employment agreements to contain clauses giving women greater rights to breastfeeding breaks and good facilities.

⁵ Department of Labour, 2007. *Parental Leave in New Zealand 2005/2006 Evaluation*, Department of Labour.

C. EARLY CHILDHOOD EDUCATION ACCESS

31. The number of children participating in early childhood education (ECE) has continued to grow, with more than 180,000 children in ECE. The 20 hour free per week ECE policy for three and four year olds has been offered by many services and increased access to ECE.
32. The growing number of places in ECE has been accompanied by an improvement in quality, with an increasing commitment to qualified teachers, and more emphasis on teacher registration, professional development, and increasingly professional conditions for teachers.
33. However, this commitment has been undermined by a cut in funding of an estimated 400 million dollars to take effect from February 2011 and a delay in implementing requirements for qualified teachers. In addition, planned improvements in child to teacher ratios have been deferred indefinitely. As a result of these changes, parent fees are likely to go up, and children are likely to be removed.
34. The current cuts in ECE are deeply regressive. The cuts will lead to lower quality for less advantaged children reduced access and increased costs. The impact of lower quality early childhood education and increased costs to access ECE will affect women workers disproportionately through high costs and are likely to affect mother's labour market participation. The long term fall-out for women from reduced access to ECE will be longer breaks from the workforce, reduced earnings and retirement savings.

D. FLEXIBLE WORKING HOURS ARRANGEMENTS

35. An Act providing the right to request flexible working arrangements was enacted in 2008, giving employees who have the responsibility for caring for a dependent family member the right to request flexible working arrangements.
36. It is the view of unions that there has been insufficient promotion of this legislation and insufficient support for implementing it in the way it was intended and needed. The lack of will to do this is explained by the current government voting against this legislation when it was passed on the basis of not wanting a legislative approach.
37. Without active promotion and encouragement for workers to use a legislative right, the uptake of flexible working arrangements will remain skewed in favour of higher income

workers. It is low-paid women who benefit from a legislative approach to flexible working arrangements.

38. A review of the flexible working hours provisions in the Employment Relations Act is underway. The CTU will be seeking a number of improvements that include a system of recording refusals to respond, more promotion of the right within workplaces through an education-based approach and extension of the right to request to all workers, not just those with caring responsibilities.
39. A positive approach taken by CTU unions is to negotiate for flexible work arrangements in collective employment agreements. This approach provides workers with knowledge at the workplace level of their right to request flexible working arrangements as well as union support in doing so.

E. WOMEN AND LOW PAY

40. New Zealand women are over represented in low paid work. Women in low paid work face other compounding employment conditions such as insecure work, health and safety risks, inadequate hours, lack of access to paid annual leave or paid sick leave and other employment benefits such as superannuation payments. The sectors where low pay predominates are retail, cleaning, hospitality and health and community services.
41. Women, who are more than three times likely than men to be in part time employment, are also penalised by being in part time work. Three of the most common occupations for women are low-paid occupations with high proportions of part timers: sales assistants, cleaners and caregivers. In the last year low-paid womens workers have faced, not only wage freezes but also cuts in employment conditions as the following examples show.

Low-Paid Workers and Industrial Action

42. Low-paid hospital workers in Auckland took collective action in June 2010 to protest about a cut back in their sick leave. The outcome of that action was that the workers were locked out by the employers for 13 days after taking strike action. This caused significant hardship to these low-income workers and their families. The Service and Food Workers Union Nga Ringa Tota condemned the Rendezvous Hotel management in Auckland locking out the housekeeping staff, saying⁶ “the action to lock out workers was totally unjustified”.

⁶ Service and Food workers Union, *Rendezvous Hotel Lock out Ended* Press Release June 30, 2010.

43. A similar situation was faced by sixty mainly union members at an aged care facility in Whanganui who went on strike in April 2010 following a claim by the management in negotiations to deny new workers access to a fifth week of annual leave. Again lockout notices were issued. Staff felt bullied and intimidated by the approach which included the employer delivering lock out notices to union member's homes at 1.00am in some cases. This dispute is not yet resolved despite a mediator's recommendations for settlement, which have been rejected by the employer.
44. An anti -union attitude by some employers fails to recognise workers fundamental rights and the essential protections in-law that workers are entitled to through fundamental labour conventions. Stronger promotion of core human rights and ILO conventions on fundamental employment rights is needed to respond to employer hostility toward unions and lack of recognition of workers' rights including their right to take industrial action.

Aged Care and Disability Sector Workforce

45. The aged care workforce is dominated by women. The majority of aged -care workers are low-paid women, many being paid at or near the legal minimum wage of \$12.75 an hour. Aged care is an industry that is dependent on the good will and hard work of women. Women with years of experience working in aged care are paid the minimum adult wage or close to it. These workers care for the most basic needs of vulnerable older adults. Caring is traditionally considered "women's work" and is therefore not valued as highly as other male dominated roles. The work is hard, hazardous, emotionally intense with heavy and unrealistic workloads.
46. Wages in the aged care sector are amongst the lowest in the country and for any industry. There has been minimal movement in wages since the early 1990s other than adjustments through minimum wage increases. While some employers do offer advancement through education, this is not generalised throughout the sector. In some cases where there is opportunity for education, that leads to higher pay via merit steps, there are financial obstacles to accessing training and qualifications and so advancement and higher pay remains out of reach. Many women working in aged care have had limited education and a large proportion of the aged care workforce are new migrants.

Retail Sector

47. Women workers predominate in the over 300,000 retail jobs in New Zealand. Many retail workers are on the minimum wage with very little protection from changes or reductions to their hours of work. The union representing retail workers – the National Distribution Union(NDU) states that many workers are underemployed in the sector and are constantly seeking to have their hours increased. Some workers resort to two jobs in order to make a living wage.
48. Some 4% of retail workers enjoy the protection of union coverage, mainly in the larger retail chains. For most of these workers collective bargaining has ensured that their wages and conditions are significantly better than the minimum wage. Even so, due to the undervaluation of retail work, wages are lower than in other sectors with similarly skilled workers. The NDU is currently increasing its membership in the retail sector which will lead to a subsequent increase in collective bargaining. Despite its best endeavours, the union is unlikely to reach the many small employers in the retail sector leaving these workers without union protection and advocacy.

School Support Staff

49. School support staff are another example of a large female low-paid workforce that has grown dramatically in numbers over the last decade. Employment conditions are characterised by high levels of part time and casual employment. Other features of this work include job insecurity, under-recognition of the skills and responsibilities of the work, changing hours, and little access to career development.
50. Following a strong industrial campaign by the New Zealand Education Institute (NZEI) in 2009 for fairer pay levels and skills recognition, school support staff voted in favour of a settlement to their collective employment agreement in February 2010 that increased starting pay rates, gave a small pay increase and included a commitment to progress a workforce strategy.

Essential Tools to Improve Pay Equity for Low Paid Women

51. Better protective measures for women on low wages are of major importance. Two tools to improve wages for low paid women workers are collective bargaining and an increase in the minimum wage. Another tool is the use of gender neutral job evaluation systems.
52. The equitable job evaluation (EJE) system developed by the P&EE Unit addresses aspects of job evaluation that give rise to gender bias and draws attention and value to skills that are historically undervalued because it is work performed by women. This and

another P&EE tool – the Spotlight Tool⁷ – are very important mechanisms to evaluate traditionally women-dominated jobs.

53. High levels of unionisation are strongly correlated with a lower wage differential and a lower gender pay gap⁸. While the Employment Relations Act 2000 restored support for collective bargaining the level of collective coverage is still low. More promotion of collective bargaining is needed to increase unionisation levels and extend collective coverage of workers, particularly those in precarious employment.
54. Adjustments of the minimum wage are particularly important for women and have been the only means to increase the income of many working women. The CTU supports a policy of indexing the minimum wage to 66% percent of the average wage. The minimum wage is currently 50.3 percent per cent of the average hourly wage.⁹

G. EDUCATION SECTOR

Women Employed in the Early Childhood Education Sector

55. Women continue to dominate in the early childhood education labour force. More than 98 per cent of 18,397 positions are occupied by women. With the growth in the sector, and the growth in qualified teacher numbers, early childhood education has provided an attractive career option for many women, including many single parents and many gaining a second chance at tertiary education. However, changes to policy will limit the expansion of these career options in the short and medium term. In addition the changes to ECE already outlined will impact on the status of ECE teachers, and parity between early childhood education and primary teachers.

Women Employed in the Compulsory Education Sector

56. 86% of all teachers in the primary sector are women. One of the biggest issues for women in all the sectors of education is appointment, promotion and professional development.
57. Women in primary education are not equitably represented in principalships. One in four (25%) of all principalships are held by men. Men are also over-represented in principalships in larger schools (45%)¹⁰.

⁷ <http://www.dol.govt.nz/services/PayAndEmploymentEquity/spotlight.asp>

⁸ Hyman, P (2004) Low Waged Work and Gender Pay Equity in New Zealand, Paper for National Advisory Council on the Employment of Women Conference on Pay and Employment Equity for Women, June 2004.

⁹ Statistics New Zealand, "Quarterly Employment Survey", June 2010

¹⁰ Cushman, P. (2009). Lessons from Sweden: Male teachers in the primary school. *SET Research Information for Teachers*, 2009.

58. In the secondary sector also there is a very clear gender bias against women in management as evidenced by the Ministry of Education payroll data provided for the Schools Pay and Employment Equity (PAEE) Review Report 2008¹¹. While the secondary teacher workforce is 58% women, the secondary principal workforce is only 29% women. Other management positions in secondary also show a similar gender bias. 33% of male secondary teachers hold middle management positions as opposed to only 27% of women teachers and 8% of male teachers hold senior management positions compared to 4.5% of women teachers.
59. Primary school teachers are also inhibited by the lack of training available for progressing to senior positions, and the perception of a 'community belief' that principals should be male (presenting an additional hurdle for women to 'prove themselves' before they are supported by the community, whereas men are often given the respect automatically)¹².
60. Secondary school teachers are inhibited by the demands on women in terms of pastoral care, the lack of female role models in more senior positions and/or support from peers and staff within the school, the belief that boys should have male role models, and in some cases, not liking the inflexibility of more senior jobs¹³.

School Sector Pay and Employment Equity Reviews

61. The PAEE Review Tripartite Steering Group set up to review pay and employment in the compulsory school sector found that the lower rates of advancement for women teachers was a gender equity issue that warranted response¹⁴.
62. The key findings of the review in regard to gender disadvantage in career advancement were that women and principals:
- Are less likely to hold mid and senior management roles (with same experience and qualification levels)
 - Advance to higher positions more slowly than men
 - When holding units, tend to hold fewer
 - Are less likely to hold a principal position, and
 - Are less likely to be in a higher paying primary principal role.

¹¹ Pay and Employment Equity Review Compulsory Schooling Sector Review Project Report, 2008.

¹² Jones, D. and Torrie, R. (2004): *The impact of human resources policies and practices and job requirements on entry and promotion in the public education sector*. P&EE Task force Report February 2004. Wellington: Department of Labour.

¹³ Ibid

¹⁴ Pay and Employment Equity Review Compulsory Schooling Sector Review Project Report, 2008.

63. The effects of the gender disadvantage were identified as:
- Women teachers as a group are paid lower than men
 - Women having less say in management of schools
 - Sector misses out on women's perspective and attributes in management positions, and;
 - Gender biased role models for students.
64. Other gender issues for women identified in the review included: unjustified use of fixed term positions for women; inequitable provisions for part time teachers (predominantly women); inequitable provision of domestic and sick leave; lack of ability for women to contribute influence and advice, and issues around bullying, harassment and discrimination.
65. A wide range of actions was recommended by the all three employer and union parties to redress the situation, including P&EE policies and processes being made integral to wider Ministry of Education policy development, ongoing Ministry monitoring of P&EE policies and processes in schools, designing career related professional development specifically for women teaches, provision of access to expert advisory services on employment equity for boards and principals, and many more.
66. However, the decision of the current government not to implement PAEE review reports has meant none of the recommendations have been implemented or progressed since the report was sent to the Minister of Education on September 2008. Indeed the report itself was only released by the current Minister in April 2010.

Womens Employed in the Tertiary Education Sector

67. The percentage of women academic staff employed in the tertiary sector remains stable. In 2008 women made up 46% of total academic staff in universities, 52% of total academic staff in polytechnics/institutes of technology, and 61% of total academic staff in wānanga (indigenous tertiary institutions).
68. The percentage of women employed as professors in universities also remained unchanged in 2008, following a steady rise prior to this. However the comparison between men and women highlights the continued gender differences in employment, for example the percentage of men employed as professors sits at 79%, with women at 21%¹⁵.

¹⁵ Ministry of Education (2009) "Profiles and Trends 2008" Ministry of Education.

69. The Human Rights Commission (HRC) describes universities as making “slow but steady progress from a low base”¹⁶ and reports some institutions with percentages of women professors as low as 10% and 12.43%. The HRC census shows women holding 23.19% of associate professorships.

Pay and Employment Equity Reviews in the Tertiary Sector

70. P&EE reviews were conducted in one wānanga and 15 institutes of technology or polytechnics (ITPs) by June 2009 through a tri-partite process which included the active participation of the tertiary education union and the support of the P&EE Unit. One university is currently undertaking a review, a limited review of two particular groups of staff is about to commence in another and two further universities have confirmed their decision to undertake a review.
71. The report on the reviews has only recently been released and many of the findings mirror those found in the core public sector, the health and compulsory education sector. These include a gender pay gap ranging from 6 – 32% with the pay gap for allied staff of great concern. Academic staff are somewhat less affected by the gender pay gap with 5 institutions having either no pay gap or a gap in favour of women. Remaining institutions do have a pay gap for academic staff although smaller than that for allied staff.
72. Women are over-represented amongst allied staff. Women comprised less than 50% of the senior management team in 11 of the 12 ITPs. Areas of concern highlighted in the reviews include overall occupational segregation; the predominance of women in part-time and fixed-term positions and consequent limited access to training and development, career paths and performance appraisals; women reporting less training and development opportunities, less access to committees and key decision-making fora and perceiving the promotion process to be less fair than men do.
73. The reviews revealed that in a number of institutions there is lack of confidence amongst staff, and amongst women more than men, that bullying and harassment will be appropriately addressed and resolved.
74. An action plan was developed from all of the tertiary education reviews with strategies and proposals for addressing the issues found to be contributing to the gender pay gap.

¹⁶ Human Rights Commission (2008) *New Zealand Census of Women's Participation*, Human Rights Commission.