

DON'T STAND BY

SPEAK UP

AGAINST GENDERED VIOLENCE

ICP REPORT

CFMEU

ACT



CONTENTS

01	Acknowledgements	13	Post workshop survey
02	Participating trades	14	The Stats
03	ICP project	15	Workshop follow up survey
04	Safe and respectful workplaces	16	Construction workers told us
05	A workshop for the construction industry	17	Informal feedback and the mini workshop
06	Lucy Case Study	18	Employer engagement
07	Assessment and control model	19	Contractors
08	Hazard identification and risk assessment	20	Industry wide observation
09	Control measures	21	Communications strategies
10	Workers stories	22	Communication Materials
11	Worker responses	23	Conclusion
12	Feedback from participants	24	Recommendation

Acknowledgement of Country

The CFMEU ACT Branch wishes to acknowledge the traditional custodians of the land on which we work and live, the Ngunnawal people. We wish to acknowledge and respect their continuing culture and the contribution they make to the life of this city and our Union. We pay our respects to their Elders past and present. We extend that respect to all Aboriginal and Torres Strait Islander peoples today. This land was stolen and never ceded. This always was and always will be Aboriginal land.

Acknowledgements and Thanks

The Union acknowledges the assistance of all gender equity workshop participants and survey respondents in the ICP project, both workers and their employers. Without their genuine good faith contributions, and without their trust and honesty we would not be in a position to make these recommendations. In particular we want to thank those construction workers who experienced or witnessed gendered violence at work and who allowed us to share their stories.

We also send our grateful thanks to the staff of the Victoria Trades Hall Council for their generous assistance, time and resources which were foundational in the development of our workshop.

Finally, we thank the YWCA of Canberra, who have extensive experience in delivering active bystander training, and in particular Dr Tulika Saxena for their guidance and expertise in structuring and delivering our workshop.



Working Outdoors?....
Protect your skin with
Stokoderm Sun SPF50⁺



Apply before outdoor activity
Re-Apply every 2 to 3 hours



For more information
visit www.sunshinecontracting.com.au
or call 1800 000 000

Skin Safety Centre


SUNSHINE
CONTRACTING GROUP





TRADES AND OCCUPATIONS PARTICIPATING IN THE INDUSTRY CO-ORDINATION PROJECT

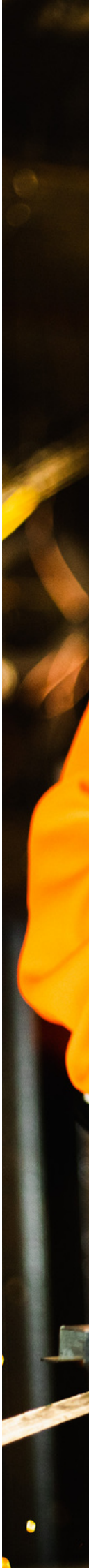
- Administrator
- Apprentice Carpenter
- Apprentice Plumber
- Bricklayer
- Carpenter
- Caulker
- Civil Construction Operator
- Civil Engineer
- Cleaner
- Construction Manager
- Construction Worker
- Covid Marshall
- Crane Operator
- Dogman
- Electrical Apprentice
- Electrical Supervisor
- Electrician
- Engineer
- Form worker
- Formwork Carpenter
- Traffic Controller
- Graduate Trainee
- Health & Safety Officer
- Installer
- Labourer
- Leading Hand
- OHS Safety Officer
- Operator
- Plasterer
- Plumber
- Post Tension
- Project Engineer
- Rigger
- Safety Representative
- Scaffolder
- Site Security Guard
- Sheet Metal Worker
- Site Engineer
- Site Manager
- Steelfixer
- Supervisor

THE INDUSTRY CO-ORDINATION PROJECT

In 2021 the Union was selected to deliver the Industry Co-ordination Project (ICP). The goals of the ICP were to coordinate with industry, key stakeholders, and across the ACT Government to support safe and inclusive workplaces in the construction industry, and to increase women's participation and retention in the industry. The Union approached these goals treating the ICP as a research project for the purpose of informing further strategies to support safe inclusive workplaces and increase women's participation in the construction industry. Key to our research was the process of developing and delivering a workshop for construction workers which is intended to educate in relation to gender equity and respectful relationships at work. Participants in the workshop were a source of informed feedback for the research component of the project in relation to issues affecting women in construction through means of structured surveys and gathering of anecdotal responses from both women and men participants. The Union also conducted survey work with other industry participants including employers in relation to their views and perceptions of the role of women in the construction industry.

The results of our research and engagement are set out in this report together with proposed communications materials and recommendations for future work in this area.

The process of conducting the ICP was initially delayed by factors related to the COVID 19 pandemic, and subsequently by the departure of the employee engaged as Industry Co-Ordination Officer and the need to re-engage an employee in that role. While this delay was unfortunate it has allowed the project to develop over time and to take into account recent legislative change which will have significant impact on the manner in which employers treat issues of gender equity and gendered violence at work.







SAFE AND RESPECTFUL WORKPLACES

**A GENDERED VIOLENCE WORKSHOP
FOR THE CONSTRUCTION INDUSTRY**



Together with other organisations active in the fields of gender equity and employee education, (notably the YWCA and the VTHC) the CFMEU developed a workshop on gender equity for workers in the Construction Industry. This is the first construction industry specific program intended to address gender equity and gendered violence by encouraging active bystander behaviour developed in Australia. Importantly, from the Union's perspective the course was developed in direct response to concerns expressed by, and consultation with, women construction workers.

When asked about sexual harassment and discrimination at work women members said that they were tired of being told that sexism and harassment are inevitable in the industry; they wanted the Union to take proactive action to put a stop to it. While the Union's approach to these issues was historically reactive, representing individual women members who had experienced gendered violence at work, the reactive approach did little to change the overall culture of the industry, and there was little pro-active or preventative work in this space. The Union was guided by women members to develop the gender equity workshop. When asked what the most effective way to combat gendered violence in the workplace was, women told the Union that it was when bystanders took action and spoke up.

As with other workplace health and safety problems, women construction workers told the Union that there is no substitute for being supported by other workers on site who are prepared to speak out, support each other and act. In this respect the anecdotal reporting from members was also reflected in formal research in this area which recognises active bystander behaviour as a critical tool for cultural change.¹ The active bystander model was, moreover, considered likely to be highly relatable to construction workers as a result of pre-existing safety campaigns run by the Union which focussed on speaking up.²

The gender equity workshop was designed to give all construction workers the tools to recognise gendered violence, to recognise the causes and consequences of gendered violence (and its roots in gender inequity) and to intervene using contemporary gender equity research and workers' real-life experiences.

1 Holdsworth, S., Turner, M., Scott-Young, C.M., & Sandri, K. (2020). Women in Construction: Exploring the Barriers and Supportive Enablers of Wellbeing in the Workplace. RMIT University, Melbourne. VicHealth and Behavioural Insights Team 2019, Take Action: Empowering bystanders to act on sexist and sexually harassing behaviours, Victorian Health Promotion Foundation, Melbourne.

2 See for example the "Stand up, Speak out, Come Home" campaign.

<https://cg.cfmeu.org/news/stand-speak-out-come-home-2> <https://www.youtube.com/watch?v=dPtPJPmJnDc>



DON'T STAND BY
SPEAK UP
AGAINST GENDERED VIOLENCE
CFMEU
ACT

CFMEU ACT
CLOSE THE GAP

CFMEU

A GENDERED VIOLENCE WORKSHOP FOR THE CONSTRUCTION INDUSTRY

Unlike other forms of active bystander training intended to be delivered in gender diverse groups the workshop is not reliant upon women participants being able to relate their own experiences of gendered violence in order to elicit understanding from the larger group of trainees. This was a conscious choice in course design which reflects the gender segregated nature of the construction industry. To be effective in the construction industry the workshop must be able to delivered in environments in which there may be few or no women present. In order to overcome this limit real life case studies are used. These case studies are based on incidents reported to the Union (most in the ACT, some drawn from other states). In addition, video material produced by the Victorian Trades Hall Council³, the Commonwealth⁴, Our Watch⁵, Jesuit Social Services⁶, Respect Victoria⁷ and the Knox, Maroondah and Yarra Ranges Councils⁸ is used to illustrate the causes and consequences of domestic violence

3 https://www.weareunion.org.au/srwp_resources

4 <https://www.respect.gov.au/>

5 <https://www.doingnothingdoesharm.org.au/>

6 <https://jss.org.au/programs/the-mens-project/the-mens-project-research/>

7 <https://www.respectvictoria.vic.gov.au/campaigns/respect-women-call-it-out-public-transport>

8 <https://www.youtube.com/playlist?list=PLWvR6eTY2073gfPKKA-DPdVvOEbR29SWN>

CASE STUDY: LUCY

Lucy is a civil plant operator working on a large civil site in Canberra. She is the only woman in her particular work area. At the toolbox meeting for her work area one morning the foreman says to Lucy in front of everybody:

“YOU GO AND WAIT IN THE TRUCK LOVE WHILE I FINISH UP WITH THE BOYS”.

Lucy feels uncomfortable and goes and waits in the truck.

Later another worker tells her that the foreman just told a bunch of dirty jokes after she left.

Lucy complained to the Union that she felt isolated and treated differently because of this incident, like she was not the same as all the other workers. Soon after she moved to a different workplace.

THE WORKSHOP FOLLOWS THE WORK HEALTH AND SAFETY HAZARD IDENTIFICATION, RISK ASSESSMENT AND CONTROL MEASURE MODEL:

1. Hazard Identification

- how gendered violence is a WHS issue
- what gendered violence is
- what this discriminatory behaviour looks like in the workplace

2. Risk Assessment

- the injuries, impacts and health risks of gendered violence
- what the drivers of gendered violence are

3. Control Measures

- what your obligation is as a worker to prevent and address this
- workplace skills to be able to identify and prevent gendered violence

HAZARD IDENTIFICATION

The first section of the course enables participants to identify what gendered violence looks like in the workplace. This section draws on current research to define gendered violence and case studies are used to provide further context and detail, participants are asked to discuss the behaviours occurring in the case studies and the impacts of those behaviours.

Participants engage with case studies and make other observations about the scenarios in a group discussion. Often participants will tell their own stories of gendered violence they have experienced or witnessed at work in a group setting.

RISK ASSESSMENT

The risk assessment section intends to have course participants understand the psychological, physical and financial impacts of gendered violence and invites participants of the course to think about what could happen if someone is exposed to the hazard and how likely it is to happen in the construction industry.

The second stage of a risk assessment involves considering the likelihood of a particular hazard occurring in the workplace. Given the construction industry's severe gender imbalance, noting that gender-based violence is both a cause of and consequence of gender inequality⁹, participants learn the industry presents a high-risk setting for gendered violence.

Further research is discussed so that participants can fully understand gendered violence and assess the risk of it occurring in their workplace. Through group discussion, which can often be vigorous participants identify the construction industry as a high-risk setting for gendered violence.

⁹ Our Watch - Prevention in Action, The link between gender inequality and violence against women,

⁹<https://action.ourwatch.org.au/what-is-prevention/the-link-between-gender-inequality-and-violence-against-women/#the-link-between-gender-inequality-and-violence>





SLOW





CONTROL MEASURES

The final part of the workshop teaches participants about the control measures they can put in place to address the hazard of gendered violence. Given gendered violence is recognised as a workplace hazard that can cause physical and psychological injury (as is workplace bullying and harassment) the WHS Act is identified as the relevant source of statutory obligation. Under the WHS Act, workers and employers have shared obligations in keeping a workplace safe, particularly they both must take reasonable steps to prevent injury to others caused by gendered violence.

The key takeaway from the section is “doing nothing does harm”. Participants are educated on possible bystander behaviours. Once participants are familiar with the actions, they apply them to the case studies, this practical exercise allows participants to practice bystander actions in real life scenarios.

The course identifies other control measures against gendered violence in the workplace, these include other forms of legislation such as the Sex Discrimination Act 1984 (Cth), Fair Work Legislation Amendment (Secure Jobs, Better Pay) Act 2022, and the WHS Act 2022 (ACT) and other mechanisms such as workplace policies, appropriate reporting lines and the role of workplace Health and Safety Representatives.

WORKER STORIES

“A plant operator in {redacted} wore shorts to work and a group of male employees took photos and shared them on a social media platform. The plant operator thought it was not appropriate but didn’t care. Rumours began to circulate that she had put in a complaint and she proactively approached management and told them that she did not want to pursue it. Management investigated the matter and discovered the main instigator was the son of the owner of the company who was set to take over the company. As a result, the lady was moved to a different crew and now has an additional one-hour commute to work every day.”

“An apprentice was stereotyped as gay based on his appearance and was excluded from discussions with other apprentices. Despite not being gay his colleagues found out his close friend was bisexual, and they caught up regularly socially. This cemented the idea that he was gay and made things really difficult.”

When we asked a female traffic controller what would happen if she told her supervisor about an incident of gendered violence she replied: “Nothing, he would probably laugh as well.”

“A woman said she had avoided the industry because she was aware that women in construction are not treated well but her experiences with her current employer have been overall very positive. She said that a co-worker had said to her that if she was younger he would ask her out. She said that she would have preferred he didn’t say that but it didn’t bother her too much.”

A male traffic controller arrived on the job and was asked “what are you doing here? We hire hot girls to come out here ... you’re not very good-looking”.

A male participant said they were on the verge of leaving the industry, he said he identified as bisexual but would never feel comfortable being out at work, and he said he couldn’t tolerate the constant homophobic comments in everyday conversations on site.



WORKER RESPONSES





WHO HAS CONTRIBUTED TO THE PROJECT?

Over the course of the ICP the CFMEU has run 47 Safe and Respectful Workplaces workshops.

549 workers attended the workshop.

167 employees from 75 different companies have attended the public course at the CFMEU training room in Dickson.

75 Apprentices and Trainees have attended

At the Multiplex Canberra Hospital Extension site 382 workers from 41 different companies have attended the workshop.

The Union has run 27 workshops at the Multiplex Hospital Extension Construction site.

The CFMEU and Multiplex have an agreement that all employees of Multiplex and of subcontractors on the site will attend the training.

This arrangement means that the Multiplex site is a unique source of data for the ICP as it represents a workplace where all workers have been part of the workshop. This is unusual having regard to the nature of work in the construction industry where employees generally perform work in a workplace where employees of many entities are engaged side by side via subcontractual relationships. This pattern of subcontracted labour supply means that employees working together may be employed by different companies and subject to differing expectations and training from their differing employers.

The group of workshop participants represents a diverse cross section of construction workers. This included employees from large employers (including subcontractors, principal contractors and multi nationals, from medium sized business, and employees from small business.

This diversity means that the workshop is a unique source of data for the Industry Co-Ordination Project survey and reporting work. In addition, having regard to the size of the ACT construction industry the group of workshop participants is a significant sample of the workforce.



**AFTER 31 YEARS IN THE
CONSTRUCTION INDUSTRY, IT
WAS GOOD TO HAVE A
WORKSHOP TO DISCUSS GENDER
EQUITY ISSUES. THE WORKSHOP
BROUGHT BACK MEMORIES OF
THE PAST, AND WHY EQUITY
ISSUES NEED TO BE FURTHER
ADDRESSED**



**FEEDBACK
FROM
PARTICIPANTS
AT MULTIPLEX**

"Was a good experience at the gender equity workshop. It would be good for more women to get the chance to work on-site."

"It was a good workshop. I think managers and employers should do the workshop too"

"I enjoyed the Gender Equity Workshop. The workshop was very educational. I think it should be offered in NSW and across all states in the construction industry, the ACT is ahead of the game with this"

"The workshop helped us with gaining knowledge and insights, into how fellow workers of all genders should relate at the workplace."

All participants were surveyed directly after the workshop to gain an understanding of their prior knowledge, experiences of gendered violence in the workplace and other thoughts. While only 31% of participants said they had no prior knowledge of the effects of gendered violence and gender inequity on women and others expressed varying levels of understanding:

“Construction is highly gendered and gender impacts dynamics onsite.”

“I know it is a big issue and has prevented higher rates of female construction workers.”

“I had a general awareness of the issues, but it was good to have a practical guide.”

“It affected women a lot and did not help with retaining women in the workforce.”

“I knew it happened but wasn’t aware of lasting negative psychological effects.”

“As a female, I definitely know how it feels and can be very uncomfortable some days and am grateful to have this training.”

Sixty percent of workers said they had observed gendered violence at work. The behaviours participants said they had most frequently observed or experienced were inappropriate comments, followed by lewd jokes, undermining and sexual harassment. Participants had observed or experienced:

“Sexual jokes, sexual harassment, men not taking no for an answer, work being taken off me & given to a male.”

“I have had my hair pulled by a construction manager. I told him to f**k off.”

“Yes, my tradesman thought it was okay to ask how many people I’ve slept with, he also said I need to go to the ‘f**king gym’ if I wanted this job. He also said if I was so desperate for overtime hours, I
“Hey sexy”, “Morning princess”, my bum has been grabbed, “Do you know what you’re doing?”, guys have encouraged/hinted at sex.

“I have experienced discrimination on several occasions for being a woman or having a language other than English.”

POST WORKSHOP SURVEY



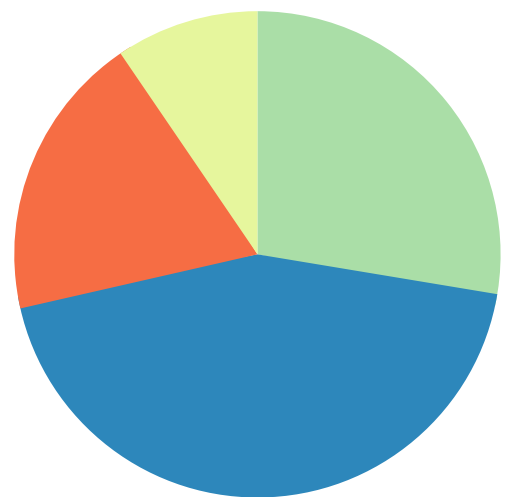


THE STATS

The workshop relies on the research conducted by Our Watch which explains the incidence of gendered violence by reference to four “Drivers”¹⁰ or causes of gendered violence. Participants were surveyed for their views on the rates at which drivers of gendered violence were most present in the industry.

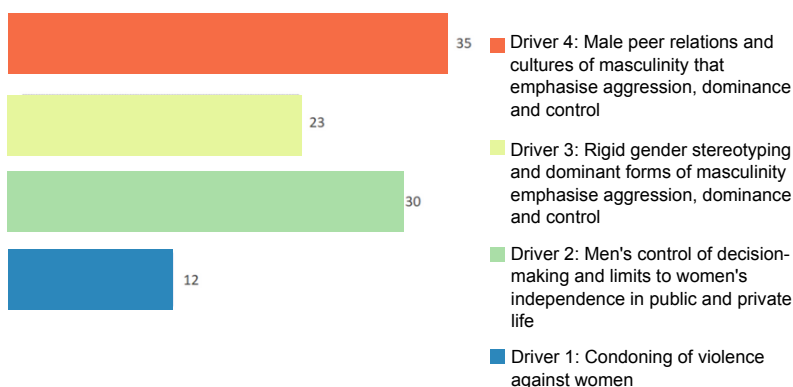
12% of participants felt that Driver 1: Condoning of violence against women was present in the industry.

- 30% of participants felt that Driver 2: Men’s control of decision-making and limits to women’s independence in public and private life was present in the industry
- 23% felt that Driver 3: Rigid gender stereotyping and dominant forms of masculinity was present in the industry.
- 35% felt that Driver 4: Male peer relations and cultures of masculinity that emphasise aggression, dominance and control was present in the industry.



■ 1 driver present ■ 2 driver present ■ 3 driver present ■ 4 driver present

Worker views on the Incidence of the Drivers of Gendered Violence: Is the Driver Present in the Industry



96% of participants identified one or more drivers were present in their workplace, and 20% identified that all four drivers were present; 4% of participants didn’t believe any of the drivers were present in the industry.

Several workshop participants told us they have noticed particular behaviours in the industry for years and felt very uncomfortable with them, but that as a result of doing the workshop they understood those behaviours to be gendered violence, and a workplace hazard. They told us they have wanted an official approach and are relieved to see this happening with a workshop such as this in the industry. This process of identifying the causes or drivers of gendered violence also allowed these workers to apply a conventional risk assessment response to their approach to gendered violence.

¹⁰ Our Watch. (2021). Change the story: A shared framework for the primary prevention of violence against women in Australia (2nd ed.). Melbourne, Australia: Our Watch.



Participants were surveyed approximately three months after attending the workshop, to gauge whether participants were more aware of gendered violence occurring in the workplace and whether they had put the skills learned in the workshop into practice.

- 95% of respondents said their recent participation in the Safe and Respectful Workplaces workshop made them more aware of gendered violence at work.
- 96% said they were more likely to intervene if they witnessed gendered violence at work.
- 33% said they had witnessed gendered violence at work since they had completed the workshop.

Of those who had witnessed gendered violence since the workshop, they reported witnessing the following behaviours:

- 44% of the incidents involved sexual innuendos/jokes.
- 19% of the incidents involved sexual harassment.
- 21% involved exclusion (targets being ignored by other workers).
- 16% involved targets being undermined and treated unequally.

Of those who witnessed gendered violence, 68% of them said they responded by taking bystander action. Respondents overwhelmingly said their bystander action had the effect of supporting the target and changing the behaviour of the perpetrator. Importantly respondents also said their action was backed up by other bystanders, indicative of a culture favouring speaking up.

Finally, participants were asked to suggest what other steps could be taken to address gender inequity at work. Participants recommended that:

- The Safe and Respectful Workplaces workshop being rolled out as part of induction procedures across all construction projects in the ACT and
- Employers undertake similar training to the gender equity workshop.
- Regular toolbox talks on gendered violence delivered by supervisors on the job and safety signage at work were also recommended.
- 54% of participants said the ACT Government should set quotas for women to work on ACT government construction projects to increase the number of women in all jobs in the

WORKSHOP FOLLOW-UP SURVEY

**IN THE FOLLOW
UP SURVEY
CONSTRUCTION
WORKERS
TOLD US**



**"SINCE THE CLASS, I HAVE FELT
A NEED TO STAND UP FOR
PEOPLE IN SITUATIONS WHICH IS
GREAT."**

**"I RECOMMEND HOLDING THE
TRAINING COMPLETED FOR
ESTABLISHED BUSINESS AND
TRADESPEOPLE."**

**"GREAT COURSE, HELPS NOT
JUST MYSELF BUT PEOPLE
AROUND - PEOPLE HAVE
CHANGED THE WAY THEY TALK
TO ONE ANOTHER - EVEN WHEN
IT'S JUST BLOKES TALKING TO
ONE ANOTHER IT'S MORE
RESPECTFUL NOW IT'S A GOOD
THING."**



INFORMAL FEEDBACK FROM WOMEN WORKING AT THE MULTIPLEX CANBERRA HOSPITAL SITE.

Given the unique nature of the project's intervention at the Multiplex Canberra hospital site, it was clear, we believe that the specific experience of women working on that site would provide insight into the utility of the workshop.

In the course of consultation with a group of women working on the site we took the opportunity to ask the women if they felt there was a tangible culture shift on the site in comparison to other construction projects they had worked on. Further, we asked if the training had had any noticeable effect in their view on attitudes towards other women and gendered violence on the job.

The response was that the attitude on site was markedly better and more respectful than on other sites. They said that while there had been a few instances of gendered violence on the job such as lewd comments or jokes, that bystanders had in each case intervened in some way or another, in some cases saying something to the effect of "Hey mate, I think you need to go back to the gender equity training – we don't say stuff like that on this job".

This feedback from the women at the Multiplex site shows that change is possible in the construction industry. If the entire workforce is trained in gendered violence awareness and active bystander behaviours, the culture of a construction site can change to be more inclusive of women.

THE MINI WORKSHOP

While the reach of the formal Safe and Respectful Workplaces workshop was significant, the Union also developed a toolbox talk capable of being delivered in about 15 minutes, as a form of mini workshop.

A toolbox talk is a common and readily understandable mode of communication for construction workers, ordinarily used for dissemination of site safety information, making it an appropriate structure to adapt for the mini workshop. In addition, in the case of some employers who were reluctant to send workers for a three-hour session of the Safe and Respectful Workplaces workshop, the toolbox talk provided an accessible introduction to the concepts in the course. The toolbox talk was delivered on 10 occasions to approximately 300 workers employed by a range of subcontractors

?

What do they look like for

This acronym - it stands for
trans, intersex, queer and is a
community of those who identify as fitting

In their work is constantly asked
about referring to their sex lives, or
asked if they have had body

CFMEU
ACT

11



EMPLOYER ENGAGEMENT

In order to explore these attitudes among employers, the union conducted survey work with a range of employers of different sizes and from different sectors in the industry ranging from principal contractors to subcontractors in bricklaying, formwork, finishing, interiors, and painting. This group included:

- Site managers,
- Project managers,
- Safety managers, and
- Owners or directors.

Notably all but one participant in the employer survey were male. However, other than in respect of their gender they represented a diverse range of background and experience in the construction industry.

Of the employers who participated in the survey, we found 14% of the workers they employed were women. However, the percentage of those women who were construction workers was only 1.7%. This is consistent with the Union's anecdotal understanding of the nature of women's employment in the construction industry, which is that women may be engaged in administrative, and some professional roles, but are highly unlikely to be engaged as construction workers. This data also highlights difficulty of obtaining accurate statistical data about women's employment in the industry as most publicly available data sources do not disaggregate employment as between administrative and construction employees creating an artificially inflated picture of the state of women's participation in construction work.

In order to further interrogate the questions relating to the incidence of women's employment in the construction industry, from the employer perspective, we then undertook an analysis of data provided to us by employers in the course of enterprise bargaining. As part of the process of finalising an enterprise agreement employers are required to declare, among other things the total size of their directly employed workforce and the number of those persons who are women. Because the enterprise agreement applies only to construction workers and not to administrative staff this represents a useful source of information. For the purpose of this analysis we considered enterprise agreements made with the Union which are current (that is made

approximately since 2019).

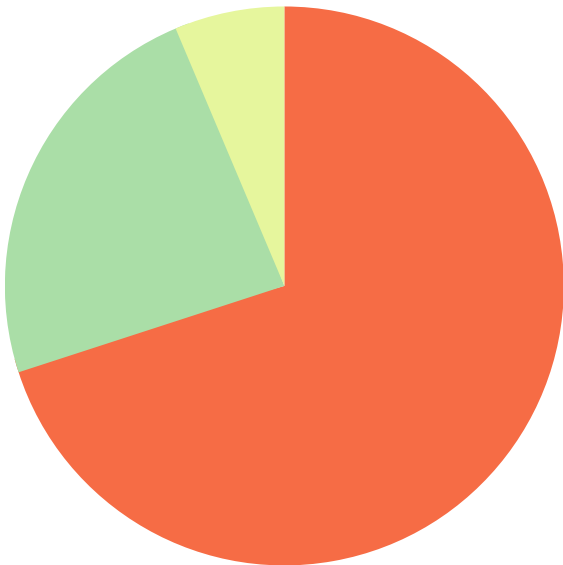
We have engaged with employers across construction in the ACT to identify their views about women's participation in the construction industry, and the structures they have in place to support women in the industry. We note however, the limitations of our capacity to engage effectively with employers, having regard to our status as a trade union and representative of employees. It is trite to note that a trade union will have varying relationships with the employers of its members with those ranging from functional relationships to outright industrial hostility.

For the purpose of the ICP our engagement with employers has been limited to those with positive or neutral relationships with the Union at the time the interviews were conducted. In most cases this is indicative of an employer who has engaged with the Union in enterprise bargaining. While this is a distinguishing feature of the employers whose views are represented below, it is our view that it does not significantly skew the responses in relation to the issues discussed, as will be clear from the discussion below the views expressed do not appear to be affected by any particular relationship with the Union.

Employer attitudes to women's participation in the construction industry will in many cases be determinative of the success of any project aimed at increasing women's participation in the industry; employers are, after all, the gatekeeper to employment. Notwithstanding legislative prohibitions on sex-based discrimination, the Union is aware that many employers are reluctant to employ women out of concern that the culture in the industry is not suitable for women. Employer representatives have previously told the Union that they do not hire women because "it is a workers compensation claim waiting to happen". These statements reflect both a clear understanding of the unsafe culture of their particular workforce, and an understanding of the effects of bullying or harassment likely to occur should women be introduced into an all male work environment. From a different perspective the Union also received feedback from employers reluctant to have their workforce participate in the Gender Equity Workshop, that they would not send their employees to a course intended to "turn boys into girls".

18

Of the employers who have made an agreement in the relevant period, only 33% employ any women at all. The majority of those employers have declared only one woman in their EBA covered workforce, only 7% of the study group employed more than one woman and of those only half employed more than 2 women. The highest percentage of women's employment occurred in a traffic control company which engaged 28% women. This was the only entity where women made up more than 20% of total workforce. These patterns were consistent across large and small business such that the chance of an entity employing a woman did not vary significantly with the size of its directly employed workforce.



■ no women ■ 1 women ■ 2 or more women

NUMBERS OF WOMEN EMPLOYED BY COMPANIES WITH CURRENT CFMEU EBA





DON'T STAND BY
SPEAK UP
AGAINST GENDERED VIOLENCE





PRINCIPAL CONTRACTORS

The statistics for women's participation in the industry are marginally better when we focused on the number employed by principal contractors. In those entities, there 20% of the entire workforce are women and 2.8% work in construction roles.

Only one principal contractor used recruitment quotas to meet a 50% female target. However, this target only applies to graduate engineering and cadet positions and does not apply to construction workers. While 60% of the principal contractors we spoke to consider diversity in their formal hiring processes, they do not have quotas for women's employment among direct employees. One of the principals had set women's participation targets of 4% for the subcontractors on their project which was driven by client contractual requirements.

All principal contractors have Bullying and Harassment policies that cover gendered violence behaviours in place. These policies included a variety of reporting mechanisms for victims of gendered violence and include harsh penalties for perpetrators.

However, from the principal contractor cohort of survey respondents, only 3 reports of gendered violence had been received in the past year. Considering the number of workshop participants who share their stories of gendered violence, for example the post workshop survey identified that 33% of participants had observed gendered violence since completing the workshop, the low number of formal reports indicates that despite the existence of comprehensive policies, women are hesitant to report incidents of gendered violence in the workplace. All principal contractors surveyed had previously conducted mandatory bullying and harassment training at all levels of the business.

SUBCONTRACTORS:

The figures for women's participation are bleaker when we look at the statistics for the subcontractors we interviewed. In these organisations, women make up only 7% of the entire workforce and are almost exclusively focused in office and administration roles, only 0.5% of the construction workforce amongst this group are women. None of the subcontractors surveyed had taken any steps to hire more women into construction roles and most subcontractors told us that rather than advertising roles, new starters were recruited informally or would come into the workplace to ask for work.

When we queried employers about using targets to bring women into the industry, all subcontractors were against the idea, however, attitudes amongst them varied with some saying they wished they could hire more women because they generally produced higher quality work but were unable to. In contrast others were vehemently against it arguing the quality of work would diminish if quotas were introduced. The boss of one formwork company said, "I would never introduce gender quotas. Formwork is incredibly hard manual labour, not even 70% of the male population can do it I think, so I don't know how a woman could ever do it."

None of the subcontractors we interviewed has a bullying and harassment policy in place, but all felt that their workforce knew that bullying and harassment simply isn't tolerated and would be dealt with harshly. When we asked them about reporting mechanisms for workers who might want to make a complaint there were minimal internal avenues available due to the smaller size of these businesses.



INDUSTRY WIDE OBSERVATIONS

The principal contractors we spoke with were generally in favour of quotas being introduced, in contrast with the subcontractors we spoke with. Overall, when hiring construction workers, all employers we spoke with took the attitude of “we’ll hire whoever is right for the job”.

It is important also to recognise that despite this emphasis from employers on hiring the “best” or “right” person, and associated antagonism toward gender quotas, in fact, hiring processes in the construction industry are largely informal and driven by personal relationships between employer and prospective employee. During the course of the employee workshop, in order to demonstrate the application of “Driver 2: Men’s control of decision-making” participants are asked how they got their start in the industry or how they got their most recent job. Almost uniformly male workshop participants relate that they obtained their work through a mate, or relative, or some similar relationship. It is clear that these hiring arrangements are not in fact focussed on engaging the “best” candidate

in the sense of a neutral or merit based assessment of competence. In fact, consistent with this, research has shown that in the construction industry women and men are “recruited through different processes and channels, with women more likely to be recruited through formal processes (i.e., formal advertisements, applications and interviews), while men were more likely to be recruited through informal networks including their family and family friends, schooling, sporting and industry connections.”¹¹ These type of informal gendered linkages obstruct women’s recruitment in the construction industry, and this needs to be taken into account when employers voice objections to women’s participation quotas that take the form of a suggestion that they would prevent merit based hiring.

We also asked employers about their awareness of recent Federal and Territory legislative changes, in particular recent changes to the Sex Discrimination Act 1984, the Fair Work Act 2009, and the Work Health and Safety Act 2011 in the ACT. We asked employers if they were aware of the new positive duty to prevent sex based harassment now contained in the Sex Discrimination Act as a result of the Respect At Work changes.



Employer awareness of the changes was mixed, although generally, principal contractors were more aware of the new laws and their obligations none had taken any further steps to ensure compliance with the legislation as they felt that the mechanisms they already had in place to prevent gendered violence, bullying and harassment were sufficient. Subcontractors on the other hand were significantly less likely to have heard of any of the changes, meaning they are completely unaware of the duties they now have to ensure the workplace is free from workplace sex discrimination and harassment and the measures they must put in place to prevent it from occurring. **None of the employers surveyed had taken any positive step to prevent sex based harassment post the introduction of the positive duty.** Finally, when asked what assistance or strategies the ACT Government could offer businesses to make the construction industry more gender equitable, employers had a variety of responses:

- The ACT government should make gender quotas a part of the tender process for government work so companies who meet the criteria are awarded with that work.

- There should be more initiatives in schools teaching students the different pathways into the construction industry.
- The ACT Government should consider allocating funding or scholarships specifically for women to obtain the qualifications (tickets) they need for construction work.
- The ACT Government should consider providing financial incentives for companies to hire female apprentices and or to hire women into graduate and cadet programs.
- The ACT Government should consider a register for women and girls interested in doing apprenticeships so companies can advertise positions directly to them.
- The ACT government should consider outreach programs in schools, and educating girls about the benefits of getting into construction. Girls need to see a career in construction as an option.

COMMUNICATIONS STRATEGIES

Dealing with Resistance: While the post workshop feedback from construction workers discussed above was most often positive, it is also important to place this feedback in context. Prior to commencing each workshop, on almost every occasion it has been delivered the workshop facilitators report participants who were reluctant to attend or participate. These workers make comments like “I don’t know why I am here – I don’t need to be trained on gender”, “this is a waste of time”, sometimes with more gendered and hostile overtones, suggesting that women should just “fit in” to the industry without the need for this type of training. Given the incidence of all four drivers of gendered violence in the construction industry the presence of these attitudes ranging from passive negativity to outright hostility, is not surprising, and it is indicative of the need for care in the way communication takes place in relation to issues of gender equity.

These attitudes, and types of resistance, also play out in the delivery of the workshop. While most participants engage in good faith, there are occasions on which participants are antagonistic, and occasionally discussion of a need for gender equity prompts expressions resistance which take the form of overt misogyny. Course facilitators regularly de-brief on these situations and discuss techniques to defuse and reconnect with the course material, which is in most cases possible. On rare occasions course participants expressing these forms of resistance have been asked to leave the classroom, because their behaviour was in fact taking the form of gendered violence against women present, was perpetuating previous acts of gendered violence, or was otherwise undermining the delivery of the workshop.

These types of resistance were anticipated in the course design and framing and will also need to be addressed in future communications strategies. While it may appear more logical to discuss gender equity from a human rights perspective there was concern that this would be alien and/or antagonistic in an industry as gender segregated and male dominated as the construction industry. Instead, the WHS framework, which is familiar to construction workers, allows for the discussion of relatively complex ideas about gender in a less confronting manner, and in particular one which does not promote resistance driven by shaming.¹²This allows course facilitators to focus on attitudinal change in the “moveable middle” of the spectrum of resistance, rather than attempting to persuade resistant outliers.



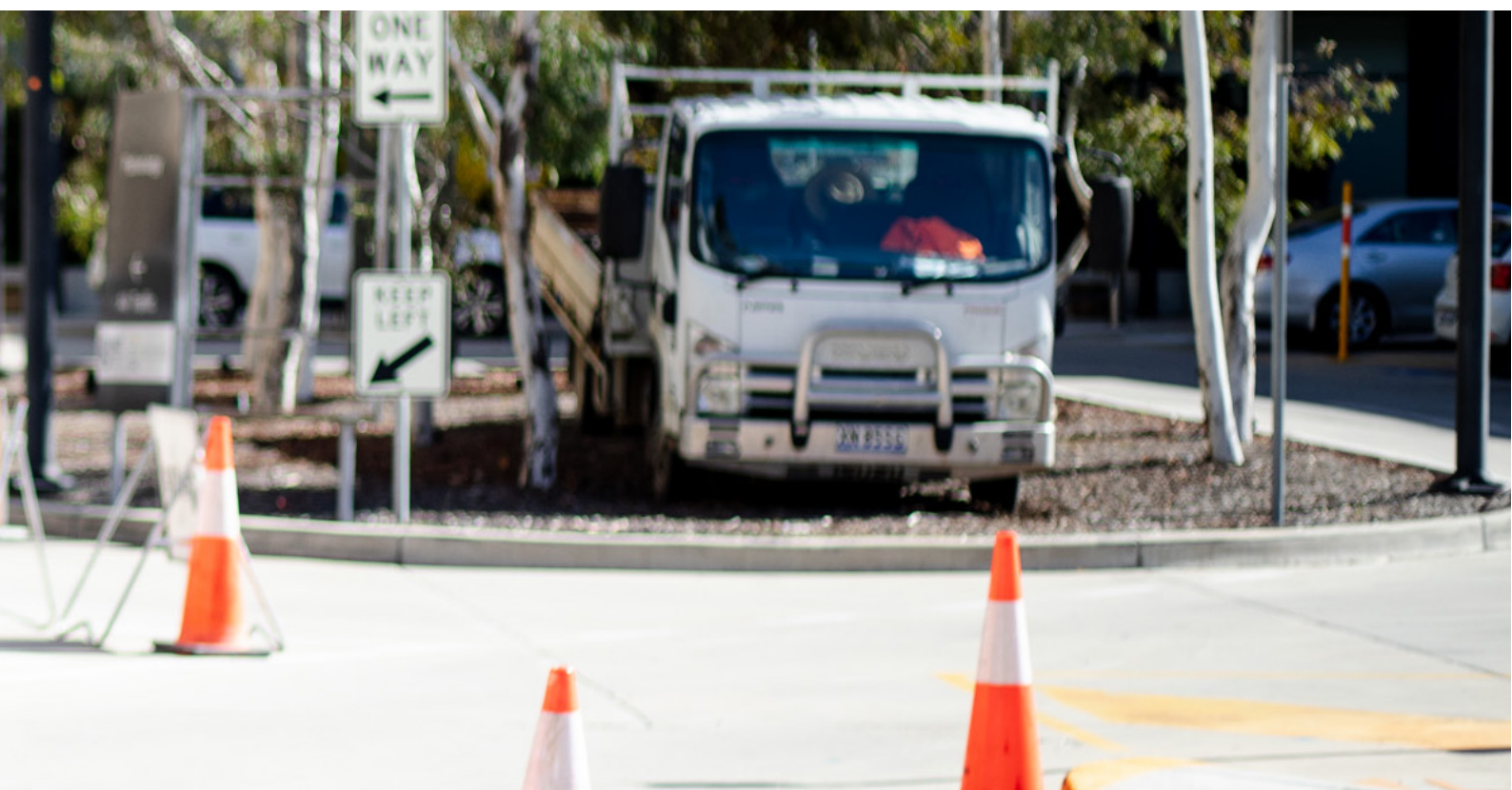
This idea of engaging with the moveable middle also aligns with the anecdotal evidence from women members of the Union which originally drove the development of the course and the ICP, which is that most construction workers are not actively engaged in, or supportive of, gendered violence and are willing and able to speak up about it if encouraged to do so (for example by framing it as a safety issue).

“focusing on the ‘moveable middle’, is where change can most effectively begin. It is only by shifting the existing social norms that the entrenched opposition will start to modernise, and realise how outdated and ill-informed they have become.”¹³

In addition, the use of a WHS framework allows communication strategies to draw on existing messaging about safety at work, both delivered by the Union and by government, that worker safety is a matter for everyone, or that safety is in workers hands as well as employers. In the context of driving cultural/ attitudinal change about gendered violence it is important for workers to understand that this is a matter that they must take charge of and that it cannot be left to employers. While workplace policies and hiring practices can play a significant part in creating gender equity, if workers do not understand that this is a change they can effect for themselves, it is unlikely that a top down approach will succeed on its own. This is especially the case with gendered violence, where the perpetration may be subtle and occur in a manner which although obvious in the lunchroom, sits well below the corporate radar, unlike other more obvious physical safety hazards.

The employer interview feedback also emphasises the need for nuanced communication strategy. While employers who think that gender equity is about “turning boys into girls” are probably not the majority in the industry the employer interviews revealed a range of resistant attitudes along that spectrum, together with variations on the view that construction work was “too heavy” for women. While individuals in management and ownership roles are influenced by psychosocial factors in the same manner as their employees, they are also responsive to economic and legal arguments relating to their corporate obligations. In this context we have concluded that communication with employers focussing on their statutory responsibilities may be a useful starting point.

12, 13 VicHealth and Behavioural Insights Team 2019, Take Action: Empowering bystanders to act on sexist and sexually harassing behaviours, Victorian Health Promotion Foundation, Melbourne.





MULTIPLEX

TAYLAR
HOADLEY

MULTIPLEX

MULTIPLEX

MULTIPLEX

COMMUNICATIONS STRATEGIES

In addition, we note that while the employee feedback clearly indicated the view of employees that it would be useful for employers to have access to a workshop like the gender equity workshop, none of the employers made a similar suggestion. However, expression of attitudes like those noted in the paragraph above, does indicate that some form of similar employer directed workshop might have benefit in raising awareness of gender equity issues, and techniques for addressing gendered violence in the workplace. While the Union is well positioned to deliver the gender equity workshop to workers, it is our view that employers are more likely to respond positively to a workshop delivered by a more neutral third party and/or government. Positioning an employer workshop separately from the Union would allow access to a wider range of employers and would also avoid the need to deal with resistance associated with friction in the union/employer relationship. In this regard we note that the Union has developed a version of the workshop suitable for delivery to employers, with employer specific case studies etc which we are able to share with any suitable organisation able to develop or deliver an employer workshop.

The survey feedback revealed an overall lack of understanding of both new and existing obligations in relation to gender equity among employers, but the distinction between SME and large business was clear, with SME employers obviously less informed about these obligations. However, in the construction industry, the use of subcontracted trade and labour models means that SME are in fact the employers of most construction workers, while the larger principal contractors, who appear to be better informed about legal requirements regarding gender equity, employ fewer construction workers. This is not to say that engagement with principal contractors is not important (as principal contractors can drive site policies, and impose quotas and obligations on their subcontractors), but that engagement with principal contractors is at one remove from the location of most

employment in the construction industry. In order to effect significant change in the gender balance of the construction industry, significant change in subcontractor employment patterns will need to occur.

Successful communication about gender equity with SME subcontractors in the construction industry will need to take into account:

- Attitudes to gender equity of the kind expressed by employees and noted above, are also likely to be held by their employers who are often construction workers themselves.
- SME subcontractors may not have the internal capacity to develop detailed policies or reporting systems. This is often seen in the WHS sphere where many subcontractors purchase off the shelf safety policies and manuals from external consultants to meet their statutory obligations in relation to safety documentation.
- Relatedly, even quite senior management of SME construction subcontractors can be actively engaged in the day to day production of the company, working on the tools rather than in office based administrative capacities. While effective for the practical management of their enterprises this limits their time and capacity to engage with complex compliance issues outside of those directly associated with their trade
- Counter to these limitations are the opportunities that arise from the relationship between subcontractor and principal contractor. Often principals and subcontractors will have ongoing relationships between projects, and principals with their greater internal capacity become a source of information for subcontractors. This can occur in a number of ways as principals take steps to encourage external statutory compliance in their preferred subcontractors.



A set of two hard hat stickers with key messages drawn from the gender equity workshop. Hard hat stickers are a common method of communicating intent in the construction industry. Construction workers indicate their union status, their football team allegiance, and a range of other personal values and beliefs by symbolic means of stickers on their hard hats. A sticker which indicates that the wearer believes that gendered violence is not a joke, or that they will speak up against gendered violence, is a significant form of communication, which, when reiterated around a site on the helmets of many workers has substantial normative capacity¹⁴.

¹⁴ Court, A. (2020). No Stickers on Hard Hats, No Flags on Cranes: How the Federal Building Code Highlights the Repressive Tendencies of Power. Index, (2).

DON'T STAND BY

SPEAK UP

AGAINST GENDERED VIOLENCE

CFMEU
ACT


The poster features a black background with a thin blue border. At the top, the words "DON'T STAND BY" are written in bold black letters on a red rectangular background. Below this, "SPEAK UP" is written in large, white, distressed-style capital letters. Underneath that, "AGAINST GENDERED VIOLENCE" is written in smaller white capital letters. A thick red horizontal line is positioned below the text, ending in a downward-pointing chevron shape on the right side. At the bottom left, the logo "CFMEU" is displayed in white, with "ACT" in smaller letters directly below it.

DON'T STAND BY

SPEAK UP

AGAINST GENDERED VIOLENCE

TOOLBOX TALK



WORKPLACE GENDERED VIOLENCE IS A HEALTH AND SAFETY ISSUE THAT CAN DAMAGE THE PSYCHOLOGICAL AND PHYSICAL HEALTH OF WORKERS.

THE HAZARD : GENDERED VIOLENCE - WHAT IS IT?

Gendered violence is any action or behaviour directed at a person that causes physical, psychological or economic harm because of their sex, gender, sexual orientation or because they don't conform to socially prescribed gender roles or dominant definitions of masculinity or femininity.

What does Gendered Violence look like at work?

- Innuendos/jokes/derogatory comments
- Offensive language and images
- Sexual harassment
- Sexual assault and rape
- Exclusion / being ignored by other workers
- Being undermined and treated unequally

Gendered Violence behaviours at work include:

- Requests or pressure for sex; asking someone for sex
- Intrusive questions or comments about a person's sex life or body; making jokes about someone's sex life, sexually loaded remarks

- Sharing sexually explicit material
- Persistent unwanted invitations to go out on dates
- Inappropriate staring or leering
- Exclusion and 'othering' by workmates and managers
- Patronising and overlooking behaviours
- Open resentment of women workers' presence on site and consistent undermining of women's skills and qualifications



THE RISK - WHAT ARE THE WHS RISKS AND IMPACTS ON WORKERS?

Gendered Violence causes physical and psychological harm and poses a significant risk to the health, safety and wellbeing of workers. Gendered violence harms workers in a range of ways, it can cause:

- Psychological illness – depression, anxiety and work stress
- Leaving secure employment (removing themselves from the risk)
- Financial loss and economic disadvantage
- Physical injury and illness
- Stress-related illness - cardiovascular disease, musculoskeletal disorders, immune deficiency and gastrointestinal disorders
- Post-traumatic stress disorder PTSD and Suicide.

FOR MORE INFORMATION
 CFMEU ACT OFFICE: 02 6267 1599 E: ACTQUERIES@CFMEU.ORG
 CSI AWARENESS TRAINING: 02 6230 1320 E: INFO@CSISAFETY.COM.AU
 CONSTRUCTION CHARITABLE WORKS: 1800 211 470 E: ADMIN@CGWACT.COM.AU

Supported by

A flyer to support the delivery of a 15 minute toolbox talk on the subject of Gendered Violence and active bystander behaviour. As noted above a toolbox talk is a common mode of ensuring that a site based workforce is made aware of safety issues on an ongoing basis. In the construction industry context, a toolbox talk is an accessible method of introducing the idea that gendered violence is a workplace health and safety issue, and of introducing active bystander behaviour as a control measure. In addition, because the toolbox talk is short it can be used on an iterative basis to emphasise the need to treat gendered violence as a workplace safety issue. This iterative capacity is particularly important in the commercial construction industry, where the cohort of workers on a site changes from day to day.

Research tells us there are four factors that drive gendered violence. Rigid gender stereotyping and dominant forms of masculinity and male peer relations and cultures of masculinity that emphasise aggression, dominance and control are very strong in the construction industry and are two of these four factors that drive gendered violence. These behaviours hurt men as well as women.

'Being stuck daily, in a Alimak lift being shown pornographic images on my workmate's phones. I felt sick in my stomach, some mornings I just had to call in sick as I couldn't face turning up at work.'

CONTROL MEASURES : Doing Nothing Does Harm.

Know your responsibilities

Workers and employers have shared obligations in keeping a workplace safe.

They must take reasonable care that their acts or omissions do not adversely affect the health and safety of other persons. The WHS Act 2011 recognises that there are circumstances where doing nothing can cause harm.

Key active bystander behaviours

Defuse - deflect, distract, discourage and minimise gendered violence by - showing it's not OK; using body language to show your disapproval, rolling your eyes or shaking your head, not laughing along, walking away, standing between the person being disrespectful and the person being targeted or making a comment about something not related to what is happening 'What's the time?' 'What task are we up to with this?'

Check-in – support the person who is being targeted by - asking if they're OK – in person or in a message, acknowledging what happened: 'Hey, I'm sorry. That wasn't cool', backing up people doing something and supporting people who report gendered violence.

Call out - speak up to reduce and stop the behaviour by – questioning sexist jokes: 'I don't get what's funny?' focusing on the behaviour: 'That comment was out of line', purposely change the topic: 'Seriously? Let's move on,' making a joke: 'C'mon, aren't we better than that?' asking them to stop: 'Alright, that's enough.'

Report - use workplace mechanisms and assist by – offering support in reporting an issue to HSR, Union Delegate, Safety Committee Member, Union Organiser, Anonymously to Union, Internal HR, Supervisor, WorkSafe either anonymously or not.

Raise awareness about Gendered Violence and know how to report an issue

- Speak about Gendered Violence at work
- Participate in Safe and Respectful Workplace training
- Know your workplace bullying/ harassment and workplace behaviour policies and procedures
- Know who you can speak to about a safety concern at your work
- Report an issue to your Health and Safety Representative

'I've been flat out asked for sex on-site. I was shocked, and I was really uncomfortable.'

Doing nothing does harm.

FOR MORE INFORMATION

CFMEU ACT OFFICE: 02 6267 1599 E: ACTQUERIES@CFMEU.ORG
CSI AWARENESS TRAINING: 02 6230 1320 E: INFO@CSISAFETY.COM.AU
CONSTRUCTION CHARITABLE WORKS: 1800 211 470 E: ADMIN@CGWACT.COM.AU

Supported by



ACT
Government

CFMEU
ACT

DON'T STAND BY
SPEAK UP
AGAINST GENDERED VIOLENCE
PCBU
CHECKLIST



Are you ready for the Respect at Work changes?

The Federal and Territory Governments have recently made changes to the law about sex-based harassment and discrimination at work.

Under the Sex Discrimination Act 1984 and the Fair Work Act 2009, Employers and PCBU now have obligations to stop and prevent workplace sex-based harassment or discrimination before it happens and to take reasonable steps to eliminate workplace sex discrimination and harassment. Employers and PCBU must take proactive steps to ensure the safety of their employees and now bear the responsibility of taking reasonable and proportionate measures to eliminate discriminatory conduct from workplaces.

Under the Work Health and Safety Act 2011 in the ACT sexual assault which occurs at work is now classed as a notifiable incident which must be notified to WorkSafe ACT if it occurs.

These changes mean employers and PCBU now have a positive duty to keep workers safe from risks of sexual assault at work. Employers and PCBU may be investigated if they do not comply with this duty.

Just like any other WHS Hazard, employers and PCBU must implement mechanisms to assess, identify and manage risks of sexual assault at work.

Guidelines for a Safe and Respectful Workplace

Knowledge

- Understand your obligations under the Law including the Fair Work Act, the Equal Opportunity Act, the Sex Discrimination Act and the Work Health and Safety Act and have up-to date knowledge about workplace sexual harassment.
- understand the drivers and impacts of sexual harassment.
- Leaders and supervisors know how to identify and respond to sexual harassment in their workplace.

Organisational capability

- Drive a culture of respect by building organisational capability.
- Expectations of respectful workplace behaviour have been set and clearly communicated to workers.
- Encourage and support bystanders to act safely to respond to sexual harassment.
- Leaders model respectful workplace behaviour.

Risk management

- Recognise and treat sexual harassment as a work health and safety risk.
- Regularly identify and assess risk factors for sexual harassment, including by seeking feedback from workers.
- Workers understand and are encouraged to use systems in place to address risk.
- Take steps to minimise and control workplace risk factors.

Prevention plan

- Develop and implement an effective sexual harassment prevention plan.
- Workers and their representatives have an opportunity to contribute to the development or revision of the plan
- Workers understand the plan (including relevant policies and procedures) and know where to find it.

CFMEU
ACT

A flyer directed at employers addressing recent legislative change in the area of workplace gendered violence. As noted from the survey data above, there is very little awareness among employers of their statutory duties in this area. This flyer not only provides employers with guidance on the new positive obligation to prevent gender based harassment, but also includes guidance on practical steps employers can take.

Reporting and response

- Responses to complaints are timely and consistent, with proportionate disciplinary outcomes.
- A fair and confidential reporting and complaints procedure is prepared in consultation with workers, with victims-survivors' wellbeing prioritised.
- Workers know how and where to make a complaint or report, and are supported to do so.
- Workers are safe and supported throughout a complaints process, including through identifying and preventing victimisation.

Monitoring and evaluation

- Regularly collect and assess reporting and complaints (and other relevant) data for trends, patterns and lessons to drive continuous improvement.
- Regularly review and update sexual harassment prevention plans (e.g. annually) to drive continuous improvement.
- Be transparent about trends, patterns and lessons with workers, boards and key stakeholders.

Practical Action

- ☑ Commit to increasing women's participation in the construction industry by actively encouraging women to work for the company.
- ☑ Our company understands the importance of gender equality and respectful relationships and is committed to taking action to build a fairer workplace and remove gendered violence.
- ☑ Management and employees at all levels can identify gendered violence, understand the risks associated with it and have put controls in place to prevent it in the workplace.
- ☑ Management models inclusive behaviour and take a leadership position on preventing gendered violence.
- ☑ HSRs and WHS representatives have been trained in gendered violence awareness.
- ☑ The company has a zero-tolerance culture towards inappropriate behavior towards women
- ☑ Management and employees take active bystander action if they witness any instance of gendered violence.
- ☑ Clear, accessible and transparent policies and procedures have been developed around gendered violence, gender equality, discrimination, bullying, sexual harassment and diversity and inclusion.
- ☑ The policies include confidential processes for people to feel safe and supported to report incidents that occur without negative impacts on their employment and well-being.
- ☑ Large organisations should establish a women's contact person for reporting gendered violence and discrimination
- ☑ Women have access to women's bathrooms and sanitary disposal bins.
- ☑ Policies have been developed to support pregnant women to stay safe while also enabling them to remain employed in a role aligned with their trade and skillset throughout their pregnancy.
- ☑ Women with caring responsibilities returning to work have access to flexible work practices such as part-time work, job share, and flexible work hours and can continue in roles aligned with their skillset.

DOING NOTHING DOES HARM.

FOR MORE INFORMATION

CFMEU ACT OFFICE: 02 6267 1599 CSI AWARENESS TRAINING: 02 6230 1320 CONSTRUCTION CHARITABLE WORKS: 1800 211 470

CFMEU
ACT

Supported by



**GENDERED
VIOLENCE IS
NEVER A JOKE**

**Disrespect, harassment
and bullying are just as
dangerous as any other
safety issue at work.**

**If you'd speak up about
safety, speak up about
gendered violence.**

DON'T STAND BY
SPEAK UP
AGAINST GENDERED VIOLENCE



f /CFMEUACT **@** @CFMEU.ACT

www.act.cfmeu.org

If you don't call it out, you're part of the problem

CFMEU
ACT

Authorised by Zach Smith, Secretary, CFMEU ACT.

A wallet sized card which sets out common types of bystander action, intended for use by Gender Equity workshop participants as a reminder of how to take action, but also suitable for those who have only had the outline provided in the toolbox talk.

HOW TO STAND UP & SPEAK UP AGAINST GENDERED VIOLENCE AT WORK

USE BODY LANGUAGE to show your disapproval: roll your eyes, shake your head, don't laugh along, walk away.

CRITICISE THE BEHAVIOUR: 'I don't get what's funny?', 'That comment was out of line', 'C'mon, aren't we better than that?'

PURPOSELY CHANGE THE TOPIC: 'What's the time?', 'What task are we up to with this?'

ASK THEM TO STOP: 'Hey, that's enough', 'Seriously? Let's move on'.

ASK THE TARGET OF THE VIOLENT ACT IF THEY ARE OK, acknowledge what's happened: 'Are you OK?', 'Hey, I'm sorry. That wasn't cool'.

SUPPORT YOUR WORKMATES: Back up people who speak up, help raise the issue with the site HSR, know your reporting options.

DON'T TURN YOUR BACK ON DISRESPECT

Supported by



ACT
Government

CFMEU
ACT I

CONCLUSIONS AND RECOMMENDATIONS



50 billion
Investment
in
Infrastructure

Lack
group

ACT

TRAFFIC
CONTROLLER

Lack
group

Lack
safe
Safe, smart, solo, work safe

CONTROL

CONCLUSION



The Safe and Respectful Workplaces workshop has received overwhelmingly positive feedback from participants. The post-workshop and follow-up surveys conducted for the ICP indicate that Safe and Respectful Workplaces training has been effective in raising awareness of gendered violence in the construction industry and providing attendees with the skills to intervene and become active bystanders. The workshop has been successful in encouraging more workers to take a stand against gendered violence, and the perception among participants is that attitudes towards women and gendered violence have shifted since the training. According to feedback from women at the Multiplex site, the training has been successful in creating a culture shift and has contributed to a more respectful work environment.

The ICP survey results shed light on the prevalence of gendered violence in the industry and the types of behaviour that are most frequently observed or experienced, such as sexual harassment and inappropriate comments. Additionally, derogatory comments towards men that are considered gendered violence, such as “stop being a girl” or “stop being a sook,” are accepted as normal behaviour in the industry. Homophobic comments are also rampant on construction sites. These findings suggest that further training and education initiatives are needed to address gender inequity and gendered violence in the workplace.

Engaging with employers in the construction industry has given us a better understanding of where the industry is at in terms of supporting women in the sector. Women have low participation rates in construction roles. Where women are employed they are most likely to be the only woman employed by their employer. The lack of active recruitment of women, the disapproval for women’s participation quotas among subcontractors, and the perception that the “best” candidate should be hired (regardless of gender) indicate that there is still a need for a culture shift towards a more inclusive and equitable workforce.

While principal contractors have policies in place to address gendered violence and harassment, the low number of reported incidents suggests that women are hesitant to make reports of incidents when they occur. This is reflected in the anecdotal evidence gathered during the project that many women feel that their employer might laugh or make a further inappropriate comments if they attempt to raise an incident of gendered violence.

Additionally, employers were generally not aware of their legislative obligations to prevent gendered violence and sexual harassment from occurring. In SME employment context there may be limited capacity for developing internal reporting lines, and this limitation emphasises the need for appropriate reporting mechanisms which are not reliant upon the employer’s hierarchy, like employee Health and Safety Representatives.

More work needs to be done to reduce gender segregation in the construction industry, and it will take the collective efforts of employers, unions, and the ACT government to put programs and measures in place to make it happen. It is clear that no one tool will fix the problem and that a multi faceted strategy addressing both gender segregation and culture, and the manner in which they reinforce each other will be necessary.

“ I’VE BEEN ON JOBS WHERE PEOPLE HAVE BEEN TO THE WORKSHOP, AND THE CULTURE HAS CHANGED

RECOMMENDATIONS

- 1.** Completion of the Safe and Respectful Workplaces Workshop should be made mandatory for all workers on ACT Government construction projects, the workshop should continue to be rolled out across the ACT construction industry more broadly and should be made mandatory at CIT for all construction industry trainees. Given the fragmented nature of subcontracted employment arrangements in the industry, a model which prioritises whole site delivery (as is occurring on the Multiplex project) is most likely to drive significant change.
- 2.** An Employer focussed Gender Equity Workshop. As became clear in the employer engagement discussed above, negative attitudes about the role of women in the construction industry, and about the need for gender equity, are as likely to occur in employers and managers as they are in construction workers. A workshop based on the Safe and Respectful Workplaces Workshop, should be developed to ensure that construction industry employers and managers able to develop an understanding of the effects of gendered violence and their own obligations in relation to preventing gendered violence at work. Any such workshop should not be delivered by the Union, although the Union, as a key stakeholder, should play a part in ensuring content is appropriate having regard to its likely effect on union members.
- 3.** Related to Recommendation 2 above, more work needs to be done to improve employer awareness of legislative obligations in relation to gender equity and gendered violence and inform them of their obligations to ensure that women are safe and treated equally and fairly in the workplace.
- 4.** ACT Government should provide encouragement and support for employers who train their workforce to recognise and prevent gendered violence at work. The Ethical Treatment of Workers Assessment/ Labour Relations, Training and Workplace Equity Plan component of the current procurement process under the Secure Local Jobs code should specifically recognise the value of engagement in workforce education directed at cultural change of this kind, in particular in the form of the Safe and Respectful Workplaces Workshop.
- 5.** The ACT Government should implement mandatory employment participation quotas for women on ACT Government construction sites. Mandatory quotas will provide a clear signal to employers that they need to take active steps to recruit, train and retain women construction workers. An increase in the number of women employed in the industry will have the dual effect of alleviating the isolation currently reported by many women which leads them to leave the industry and which leaves them vulnerable to discrimination and harassment, and will also enhance the signal that women belong in the industry as it is relayed to construction workers.
- 6.** The ACT government should continue to promote the perception that women are equally capable of carrying out roles in the construction industry and encourage employers to be more proactive in actively recruiting women into construction roles by providing financial incentives for training women in industry specific skills.
- 7.** HSR training in dealing with Gendered Violence at work should be mandatory. The survey data and anecdotal responses of women participants in the workshop indicate that safe reporting mechanisms are an essential component of stopping and preventing gendered violence. If women do not believe that their employer will take action to improve the situation, they are unlikely to report gendered violence to their employer or anywhere else. While this is an issue for all safety reporting, it is particularly relevant in the context of gendered violence. Under WHS legislation, alternative reporting mechanisms have been introduced to address this issue, and also to address situations where employers may be complicit in, or the perpetrator of the hazard. The Role of Health and Safety representatives as an alternate reporting mechanism is emphasised throughout the workshop, as a tool for those who do not feel comfortable reporting to their employer. Taking this into account, it is important to ensure that HSRs are properly trained to recognise and deal with the specific hazard of gendered violence. The Victorian Government has addressed this issue by requiring all HSRs to complete mandatory refresher training on gendered violence as a workplace hazard. We recommend that this type of training for HSR also be required in the ACT.



**DOING NOTHING
DOES HARM.
CFMEU
ACT**