
Work, Care and Family Policies

Federal Election Benchmarks 2025

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The Federal Election Benchmarks 2025 reflect the scholarship and research-based deliberations of the members of the Australian Work + Family Policy Roundtable (W+FPR).



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The 2025 Federal Election benchmarks are dedicated to the memory of Linda White. Linda was a fierce advocate for gender equality all her working life. In her role as Assistant Secretary of the Australian Services Union (1995-2022) she was instrumental in securing historical and significant pay increases for around 200,000 community and social service workers in 2012. Linda was also a tireless advocate for paid domestic and family violence leave and decent working conditions, especially for low-paid women. As Labor Senator for Victoria (2022-2024) Linda contributed her deep passion and knowledge to a wide range of parliamentary committees including the ground-breaking Select Senate Committee on Work & Care (2022-2023).

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The Australian Work + Family Policy Roundtable is a research network of 36 academics from 18 universities and research institutions with expertise on work, care and family policy. The goal of the Roundtable is to propose, comment upon, collect and disseminate research to inform evidence-based public policy in Australia. Roundtable members include:

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The Work + Family Policy Roundtable held its first meeting in 2005 and actively participates in public debates about work, care and family policy in Australia. This is our seventh set of Federal Election Benchmarks. They reflect our collective research expertise and collaboration, including a workshop in December 2024.

The W+FPR believes work, care and family policy proposals should be guided by sound policy principles which:

- **Recognise that good management of the work-life interface is a key characteristic of good labour law and social policy;**
- **Adopt a life-course approach to facilitating effective work-family interaction;**
- **Support both women and men to be paid workers and to share unpaid work and care;**
- **Protect the well-being of children, people with disability and frail older people who require care;**
- **Promote social justice and the fair distribution of social risk;**
- **Ensure gender equality, including pay equity;**
- **Treat individuals fairly, regardless of their household circumstances;**
- **Ensure sustainable workplaces and workers (e.g. through 'do-able', quality jobs and appropriate staffing levels);**
- **Ensure predictable hours, earnings and job security;**
- **Ensure flexible working rights are available in practice, not just in policy, to all workers through effective regulation, education and enforcement;**
- **Facilitate employee voice and influence over work arrangements;**
- **Recognise and support the ongoing need for income support where earnings capacities are limited by care responsibilities or other social contributions;**
- **Recognise the particular cultural and social needs of groups who have been excluded and discriminated against, such as Indigenous peoples and newly arrived migrants and refugees, who may require diverse responses to participate effectively; and**
- **Adopt policy and action based on rigorous, independent evidence.**

Informed by these principles, the W+FPR advances public debate and policy initiatives that promote a secure and living wage for workers; reasonable work hours and working time; appropriate and adequate leave provisions; quality care services; a fair tax and benefits regime and other measures that assist workers and carers to better combine these two spheres of essential human activity.

Introduction

Work, care and family policies have been at the forefront of public debate and government policy action in recent federal elections.

A review of the Federal Election Benchmarks published by the Australian Work + Family Policy Roundtable (W+FPR) over the past two decades reveals positive change in the design and efficacy of the work, care and family policy supports Australian families now enjoy. These improvements have come in fits and starts, with a decisive 'turning point' evident in the policy innovations that followed pandemic disruption to labour markets and care infrastructure (Baird, Hill and Colussi 2024).

Since the last federal election, a number of important reforms to work, care and family policy have been achieved. These include: extension of the national Paid Parental Leave system to 26 weeks by 2026, including provision for flexible use and payment of the superannuation guarantee; three days of subsidised Early Childhood Education and Care (ECEC) guaranteed for every child; increased wages for many support and care

workers; paid family and domestic violence leave (FDVL) for all workers, including casuals (an international first), recognising the importance of different types of paid leave for work and care; and, the introduction of gender responsive budgeting, enabling a holistic view of the gender impact of work and care policies. Federal initiatives have been complemented by some state innovations, especially in ECEC.

Gender equality in work and care is now a policy priority. National inquiries and reports, including the Employment White Paper (Treasury 2023), Women's Economic Equality Taskforce Final Report (WEET 2023), the Economic Inclusion Advisory Committee Report (EIAC 2024) and Senate Inquiry into Work and Care (2023) have culminated in the delivery of Australia's first National Strategy on Gender Equality – Working for Women (Commonwealth of Australia 2024).

This is good news for Australian workers who continue to struggle to combine care responsibilities with secure and satisfying employment.

But even as progress has been made, Australia remains a global laggard in the level of national investment in ECEC and aged care, the length and generosity of our paid parental leave system, and decent work for worker-carers and the care workforce (Baird, Hill & Colussi 2024). The challenge at hand is how Australia implements the National Strategy for Gender Equality and its vision of ‘an Australia where people are safe, treated with respect, have choices and have access to resources and equal outcomes no matter their gender’ (PMC 2024a: 8). Robust, well-resourced, coordinated and properly regulated work, care and family policies are critical to gender equality.

Much remains to be done.

In this set of Federal Election Policy Benchmarks 2025, Australia’s leading researchers on work and care evaluate current policy settings to see how well they meet the needs of workers with care responsibilities, and offer evidence-informed recommendations for future federal government action. This data-driven approach to policy recommendations across six key themes provides all Federal Members of Parliament with insight on the type of innovation that will support gender equality in work and care, and in turn lift national workforce participation and productivity.

A strong economy relies on the coordination of well-designed work and care policy measures. We’ve reached a turning point as a nation in how we understand the positive relationship between care and work. Sustained investment in Australia’s work and care policies is required to underpin productivity, economic security and wellbeing.

Six Policy Themes

- **Decent work that supports decent care**
- **Leave from work to care**
- **Sustainable high-quality care infrastructure**
- **Gender pay equality**
- **Safe and respectful workplaces**
- **Institutional support for decent work and decent care**

These six policy themes are interconnected and together inform the institutional context within which families and communities make decisions about who will work and who will care. Research evidence shows that an integrated approach to work, care and family policy can create the smooth and secure transitions between work and care that are required to build gender equality and achieve positive outcomes for all.

Summary of W+FPR recommendations to the federal government

Decent work

1. Investigate the extension of the National Employment Standards (NES) personal/carer's and annual leave entitlements to all employees, including casual employees.
2. Extend the NES right to request flexible work arrangements to all workers after 6 months of engagement with their employer; place a positive duty on employers to reasonably accommodate flexible working arrangements; replace employer justification for refusal on 'reasonable business grounds' with 'unjustifiable hardship'.
3. Review and strengthen the NES on maximum weekly hours of work to ensure it operates as an enforceable cap on long hours. Consider stronger penalties for long hours and other ways to reduce them, including through the work, health and safety system which requires employers to ensure safe working hours as a part of providing a safe workplace.
4. Take action to ensure the operation of the Pacific Australia Labour Mobility (PALM) scheme and other temporary visa schemes support vulnerable workers through:
 - A right to freely change employers
 - The right to and resources for family accompaniment. Where family accompaniment is not possible, a right to time and internet access for family communication.
 - Extending Medicare coverage to all migrant workers.
 - Committing additional resourcing to monitor and enforce workplace protections.

5. Resource the federal Office for Women to gather data and undertake further research into the specific needs of Indigenous worker-carers, including the adequacy of current employment standards and protections.

Leave from work to care

1. Extend the duration of paid parental leave (PPL) to 52 weeks with an extended period earmarked for each parent (4 months for each parent and 4 months to share). This could be achieved by first extending the system so that mothers have at least 26 weeks and fathers/partners have access to a longer period (8 weeks) of reserved leave (i.e. a total of 34 weeks with 8 weeks of that period reserved for each parent).
2. Incentivise employers to top up the government scheme from the National Minimum Wage rate to wage replacement rates (where this makes the worker better off).
3. Safeguard and ringfence superannuation payments on PPL so it is available for those who take PPL (majority being women) in their retirement and not used as a substitute for extending the period of PPL.
4. Extend the definition of care in the NES on carer's leave to include a greater range of care recipients and a greater range of care responsibilities.
5. Split personal/carer's leave into separate periods of 10 days paid personal and 10 days paid carer's leave to reduce the disadvantages experienced by carers in accessing sick leave and set a long-term goal to extend paid carer's leave in line with international leading practice.
6. Extend the period of job-protected unpaid carer's leave to 30 days per annum and amend income support provisions so workers on unpaid carer's leave can receive income support payments while on leave.

Sustainable, high-quality care infrastructure for decent work and a sustainable workforce

1. Build a national system of universal, free, high-quality early childhood education and care (ECEC).
2. Increase the share of publicly owned, funded and delivered ECEC.
3. Extend public funding for aged care and disability support services to ensure that older adults and people with disability have equitable access to timely, affordable and high-quality care. Public funds should be used for quality service provision, not profits, and should be appropriately indexed.
4. Develop flagship public providers of care services to drive quality and accessibility and encourage not-for-profit provision through targeted capital investment programs.
5. Improve care system planning by investing in robust workforce data collection and setting clear guidelines for provider establishment, e.g. prioritising underserved areas and those providers able to demonstrate high quality offerings.
6. Invest in the development of sustainable and decent work for the care workforce. Care workers should be directly employed by service providers, receive decent wages and conditions and job security, and have opportunities for training, career progression.

Gender Pay Equality

1. Strengthen the commitment to gender equality in the Fair Work Act by amending the current section 3 object in favour of *achieving* rather than simply promoting gender equality.
2. Strengthen the Fair Work Act provisions that provide a commitment to equal

remuneration and the elimination of gender-based undervaluation in awards through the introduction of an equal remuneration principle to guide the Fair Work Commission on the indicia of undervaluation and its articulation in minimum and paid rates of pay.

3. Amend the Fair Work Act to ensure the commitment to equal remuneration and the elimination of gender-based undervaluation also enables the Commission to consider the contribution of working time provisions to gendered pay disparities.
4. Resource the Fair Work Commission to provide the necessary data and research for applications for equal remuneration and work value to address the gender-based undervaluation of work, and to support multi-employer bargaining in feminised industries.

Safe and respectful workplaces

1. Increase resourcing of the Australian Human Rights Commission (AHRC) to enable and support enforcement of the Sex Discrimination Act's (SDA) positive duty.
2. Resource and enable cross-agency coordination and collaboration between the relevant agencies (AHRC, Fair Work Ombudsman, and work health and safety (WHS)) to jointly develop educational resources and share best practice for compliance and enforcement of both positive duties and paid Family and Domestic Violence Leave (FDVL).
3. Address employer and employee awareness deficits of SDA and WHS positive duties in respect of sexual harassment and discrimination, and FDVL, through multi-channel public education campaigns, including with groups who assist those experiencing family violence such as hospital staff,

first responders and courts. Undertake further research into barriers experienced by employees seeking FDVL, particularly casual and other groups of employees facing particular disadvantage, and into strategies to overcome these barriers.

4. Support the further development of educational resources for businesses and other employers that are clear, consistent and underpinned by evidence about ways to prevent harassment and discrimination in work and support access to FDVL. This should include training on confidentiality management strategies by human resources personnel and awareness of domestic violence support services.
 5. Improve annual Workplace Gender Equality Agency (WGEA) reporting on FDVL. Future *mandatory* questions on FDVL should address (a) the number of employees taking FDVL and the number of days taken, differentiating between permanent and casual employees; (b) the number of employees who have used the maximum available leave days; (c) internal publicity on the availability of FDVL; and (d) whether there is a general safety strategy in the organisations.
 6. Regularly review legislative changes to ensure they are effective in providing for safe and respectful workplaces.
3. Develop strategies to address the lifetime cost of care embedded in the labour market patterns of women, First Nations peoples and other vulnerable groups; for example, through carers credits.
 4. Substantially increase the rate of working-age income support payments, in line with the Economic Inclusion Advisory Committee's recommendation, and maintain the adequacy of payments by improving indexation arrangements.
 5. Develop and consult on a policy to reform Family Tax Benefit (FTB), in particular to address the gender inequality of the dependent carer income test in FTB B, which stands in the way of women's workforce participation, and to restore the level of payments to families caring for children.
 6. Remove the Maintenance Income and Action Tests from the calculation of FTB A for families eligible for child support.
 7. Invest adequate funding to maintain and develop existing and future data sets (including the Australian Bureau of Statistics (ABS) Time Use Survey), provide free access to datasets for researchers, and support the research capacity to evaluate policy impact and monitor changes in the work and care arrangements in diverse Australian households.
 8. Resource the ABS to review its industry classification structures to ensure that care services are sufficiently and accurately disaggregated and described and that occupational skill designations for frontline care classifications reflect the increasing complexity and skill level of the work undertaken.

Institutional support for decent work and decent care

1. Establish a strategy and timeline to embed gender responsive budgeting (GRB) strategies across all government decision-making processes, including taxation and transfers.
2. Explicitly address gender inequalities in the superannuation system and make explicit the need to address inter-generational inequality and outcomes for different groups including women, First Nations peoples and low-income earners in retirement.

Decent work to support decent care

Decent and sustainable work is the foundation of gender equality in work and care. It supports quality work and makes time for life and caregiving.

Inclusive minimum labour standards are the bedrock of decent work. The National Employment Standards (NES) and modern awards provide a safety net of minimum employment standards for the majority of Australian workers. Recent amendments to the NES have introduced additional standards, including 10 days paid Family & Domestic Violence Leave (FDVL) available to all employees and the right to be paid superannuation. The inclusion of casual employees in eligibility for FDVL sets a precedent for closer attention to the lack of access casuals have to other paid leave (annual, personal/carer's), unlike in New Zealand and the United Kingdom (Campbell and Charlesworth 2023). The Select Senate Committee on Work & Care recommended that providing access for casual employees to personal/carer's leave be reviewed by government (Select Senate Committee on Work & Care 2023).

Welcome changes to the NES have expanded the right to request flexible work arrangements (RTR), improved processes for making requests and provided an enforcement mechanism. Nevertheless, the RTR remains weak: it is not available to all workers and still relies on individual workers to pursue access. The Work & Care Inquiry recommended that this NES be extended to all workers after 6 months with

their employer; a positive duty be placed on employers to reasonably accommodate flexible working arrangements; and that the 'reasonable business grounds' for an employer to refuse a request be replaced by grounds of 'unjustifiable hardship' (Select Senate Committee on Work & Care 2022).

Effective working time protections are critical for job security and for gender equality. Australia has a highly gendered working time regime with female workers more likely to work short part-time, often casualised, hours while male workers work very long hours. Gendered disparity in working hours perpetuate gender disadvantage because it locks women out of high paying, good quality jobs, leadership and influence (which assume long hours, beyond the NES standard) (Doan et al 2021). This undermines merit-based opportunities, a key value of our labour market.

Awards in many feminised sectors, especially in the care sector often have poorer working time conditions and protections. They provide less security and are more likely to facilitate the use of 'on-demand' and precarious part-time work (Campbell et al 2019) than in male dominated sectors, driving economic inequalities (Cortis et al 2024). The Fair Work Commission's (FWC) Modern Awards Review 2023-2024 highlighted poorer protections for part-time workers in feminised sectors and the need for working time predictability to manage caring responsibilities (FWC 2024). In 2025, the FWC will review part-time award provisions

and other gendered differences such as span of hours provisions, which affect pay rates.

While the NES provides for a 38-hour weekly maximum, this is undermined by the ability for employers to require unspecified 'reasonable' additional hours. This exception contributes to an embedded culture of long work hours for men reinforced by pay structures (overtime and pay premiums), reflecting and reproducing gendered patterns of occupational segregation and the household division of labour (Strazdins et al 2022; Cortis et al 2023). The economic and family caregiving costs of men's long work hours on Australian women's earnings is high by international standards - not only in terms of women picking up additional unpaid care and household work but also in limiting women's capacity to work and earn equally (Doan et al under review; Blom and Cooke 2024). A review of the operation of the NES 38-hour week and the extent and consequences of longer hours of work is overdue (Senate Select Committee on Work & Care 2023). A stricter application and better enforcement of the maximum weekly hours NES are needed to curb expectations employees should work more than 38 hours a week. This would also support men's opportunity to share the unpaid care load and reduce the health harms of excessive working hours (Dinh et al 2017).

Protections for migrant workers and Aboriginal and Torres Strait Islander workers are rarely considered in Australia's work/care policy design and regulation and require specific attention. We focus here on two of the most disadvantaged groups: temporary migrant workers, including those employed under the Pacific Australia Labour Mobility (PALM) scheme; and Aboriginal and Torres Strait Islander workers.

The PALM scheme allows eligible businesses in rural and regional Australia to hire workers from nine Pacific islands and Timor-Leste. Many work in the aged care sector. Approved employers sponsor individual workers for

periods of up to four years, during which time workers are not allowed to change employers and have no rights to family accompaniment. These conditions do not support decent work: exploitation and wage theft are endemic (Cockayne et al 2024), and family relationships and care systems are put under considerable strain. Family dislocation and care deficits in sending countries undermine positive development outcomes for individuals, households and communities (Withers 2022; Withers and Hill 2023) and flout Australia's commitment to the Convention on the Rights of the Child (Jayasuriya 2021).

The PALM scheme must be brought into alignment with the rest of Australia's migration system. Workers need to be able to freely change employers (Withers and Kagan 2024) and have access to family accompaniment along with the Child Care Subsidy, free public schooling and Medicare. Despite paying taxes, PALM workers and other temporary migrants are unable to access Medicare and rely on costly private health insurance - inadequate in respect of workplace injury and reproductive rights in the event of pregnancy (Kanan and Putt 2023). Other necessary protections for PALM workers and other migrant workers (including those on various visas working in ECEC, aged care, disability care, as well as temporary migrants employed as au pairs) include: expanding the scope of the 'workplace justice visa' and 'strengthening reporting protections' pilot schemes to grant workers indemnity in reporting exploitation (Berg and Farbenblum 2024); improving the dissemination of culturally and linguistically appropriate resources on employment rights and access to justice for workplace grievances; and better resourcing for enforcement by the Fair Work Ombudsman (FWO).

Aboriginal and Torres Strait Islander workers have extensive care responsibilities and obligations for kin, country and culture

that are unrecognised in Australia's work and care policy settings (AHRC 2020). Indigenous peoples are more likely than non-Indigenous to provide care to children, family and members of their community with Indigenous women taking on significantly more care responsibilities than men (Evans 2021). Major reasons for this include the fact that Indigenous Australians experience: higher rates of disability than non-Indigenous Australians which leads to relatively high care burdens for unpaid carers (Hunter et al 2016); and have additional responsibilities for extended kin networks and community. While relevant labour force data are scarce, caring responsibilities for children have a greater negative impact on Indigenous women's workforce participation with women with dependent children more likely

to be out of the workforce than Indigenous men (ABS 2015). The additional cultural load carried by Indigenous workers in feminised health and social services roles is also invisible, unrecognised by employers, award classification and pay rates (Cortis and Blaxland 2024). The Australian Human Rights Commission has recommended that the Australian Government establish a taskforce led by Indigenous women to design a national action plan to elevate, centre, and support care (Klein et al 2024). While such a plan would provide a crucial foundation for better supporting Indigenous carers, more research into what policies and regulation would best support Indigenous worker-carers to access and remain in decent jobs in the paid labour force is also vital.

We Recommend the Federal Government:

- 1 Investigate the extension of the National Employment Standards (NES) personal/carer's and annual leave entitlements to all employees, including casual employees.
- 2 Extend the NES right to request flexible work arrangements to all workers after 6 months of engagement with their employer; place a positive duty on employers to reasonably accommodate flexible working arrangements; and replace employer justification for refusal on 'reasonable business grounds' with 'unjustifiable hardship'.
- 3 Review and strengthen the NES on maximum weekly hours of work to ensure it operates as an enforceable cap on long hours. Consider stronger penalties for long hours and other ways to reduce them, including through the work, health and safety system which requires employers to ensure safe working hours as a part of providing a safe workplace.
- 4 Take action to ensure the operation of the Pacific Australia Labour Mobility (PALM) scheme and other temporary visa schemes support vulnerable workers through:
 - A right to freely change employers.
 - The right to and resources for family accompaniment. Where family accompaniment is not possible, a right to time and internet access for family communication.
 - Extending Medicare coverage to all migrant workers.
 - Committing additional resourcing to monitor and enforce workplace protections.
- 5 Resource the federal Office for Women to gather data and undertake further research into the specific needs of Indigenous worker-carers, including the adequacy of current employment standards and protections.

Leave from Work to Care

Paid leave to care is essential for decent work and work/family balance. It is a vital entitlement for workers who have responsibility to provide care for dependent children or loved ones with a disability, chronic illness, or needs arising from older age, as well as selfcare. Fair and equitable access to paid leave reduces the disadvantages in work and career faced by people with care responsibilities by offering job protection and pay while doing the essential work of caring. Emerging research also suggests paid leave may help to reduce disadvantages in work, career, and economic security arising from insufficient support for women's reproductive health (menstruation, menopause, fertility treatment) (Colussi et al 2023; Golding and Hvala 2021; Hvala 2018; Riach and Jack 2021). As women's participation in paid work reaches historical highs, and women continue to provide the majority of unpaid care for family and friends, paid leave policies are more important than ever. They support work/family reconciliation, build workplace gender equality and provide workers with the time they need to care.

Government parental leave policies have undergone major positive reform over the past few years - including improvements in length (26 weeks by 2026), flexibility (in patterns of use) and value (through the superannuation contribution). Eligibility requirements have also been expanded. By 2026, a total of four weeks of paid leave will be reserved for fathers and partners. Even

so, the total period of paid leave, including the 'father/partner' quota, remains short by international standards. It also continues to leave mothers unable to access the full 26 weeks of paid leave that would align with international health recommendations for breastfeeding (Baird et al 2021). These ongoing constraints, combined with wage replacement only at the national minimum wage level, means that current policy is unlikely to catalyse a significant shift in the division of parental leave uptake by men and women (Baird et al 2021).

Australia's **carer's leave** provisions are limited in comparison with international standards, where longer carer leaves commonly provide job protection for periods of 3-6 months, such as in France and Austria (Baird et al, 2022). Most countries provide a shorter period of up to 30 days of paid leave combined with a longer period of unpaid, job protected leave. In most cases extended leaves are unpaid, but workers are eligible to apply for income support payments while on leave. The 10 days of paid personal/carers leave per annum (pro rata) and two days of unpaid leave at a time, currently available in Australia is inadequate to cover both the sick leave needs of individual workers and the care needs of working parents and carers. It is particularly inadequate for working carers of a person with a disability, chronic illness or a person with needs arising from older age, or of a person at the end of life (Baird et al 2022). Care at the end of life can be intensive, prolonged and unpredictable, but Australia's

current personal/carer's leave provisions do not match the realities of caring for the dying (Hamilton and Broom 2021). In addition, many carers have fewer than 10 days per annum of paid personal/carer's leave because they are more likely to work part time (AHRC 2013). This leaves them with even less paid leave available to manage their own health alongside their care responsibilities.

Longer periods of paid leave are required to meet the care needs of an aging society without compromising the economic security of carers, labour supply and government priorities for gender equality. We also need to expand eligibility criteria for carer's leave in the NES, currently only available to workers who need to care for an immediate family or household member who is sick or injured, or to help during a family emergency. This very limited definition of care excludes care for extended family, non-household members, friends or members of kinship networks,

such as for Indigenous Australians. The NES on carer's leave also fails to include everyday care activities, especially older adults 'ageing in place' (Heron, 2023). Clauses in the NES on paid FDVL could be used as a model for extending care responsibilities beyond those who are sick, injured or experiencing an emergency, to include instances where an employee needs to carry out a care task that it is impractical for them to do outside the employee's work hours. Casual workers should also be included in these measures.

Most importantly, provisions for carer's leave and personal (sick) leave need to be disentangled. This is critical for workers with long term family care responsibilities who are more likely than non-carers to have a disability or chronic health condition themselves. Poor health among carers is an important driver of labour market exit (WWPRG & WFPR, 2023).

We Recommend the Federal Government:

- 1 Extend the duration of paid parental leave (PPL) to 52 weeks with an extended period earmarked for each parent (4 months for each parent and 4 months to share). This could be achieved by first extending PPL so that mothers have at least 26 weeks and fathers/partners have access to a longer period (8 weeks) of reserved leave (i.e. a total of 34 weeks with 8 weeks of that period reserved for each parent).
- 2 Incentivise employers to top up the government scheme from the National Minimum Wage rate to wage replacement rates (where this makes the worker better off).
- 3 Safeguard and ringfence superannuation payments on PPL so it is available for those who take PPL (majority being women) in their retirement and not used as a substitute for extending the period of PPL.
- 4 Extend the definition of care in the NES on carer's leave to include a greater range of care recipients and a greater range of care responsibilities.
- 5 Split personal/carer's leave into separate periods of 10 days paid personal and 10 days paid carer's leave to reduce the disadvantages experienced by carers in accessing sick leave and set a long-term goal to extend paid carer's leave in line with international leading practice.
- 6 Extend the period of job-protected unpaid carer's leave to 30 days per annum and amend income support provisions so workers on unpaid carer's leave can receive income support payments while on leave.

Sustainable, high-quality care infrastructure for decent work and a sustainable workforce

The Australian care economy drives national labour force participation and productivity. Early childhood education and care (ECEC), aged care, disability support, and carer services (such as respite) are critical infrastructure that support families to manage the competing demands of work and care and build economic security. This makes access to high-quality and affordable care services pivotal to the smooth running of Australian households and society. But demographic trends such as the ageing of the population, in combination with historically high rates of female labour force participation are putting pressure on our existing care infrastructure.

Recent changes in ECEC policy have delivered every child an entitlement to three days of subsidised ECEC, scrapping the activity test that tied children's access to their parent's work status. This is a gamechanger for all families, particularly the children from vulnerable households (Hill et al 2024). A number of high-profile national inquiries have also mapped out policy pathways to a universal system of ECEC (ACCC 2023, Productivity Commission 2024). At the same time more than one quarter of Australian families live in a childcare desert where there are more than three children per ECEC place (Hurley et al 2024). This mismatch is most pronounced in low socio-

economic, rural and regional areas (Hurley et al 2022). Out-of-pocket expenses also remain high despite increases in the Child Care Subsidy. Australian families have the highest rate of private expenditure on ECEC in the OECD (OECD 2025: 218).

The National Disability Insurance Scheme (NDIS) also faces challenges meeting the needs of some groups, such as people with psychosocial disability and people living in remote areas (PMC 2023a). At the same time, public expenditure rose by 79 per cent over the past four years, raising questions about the appropriateness of existing funding guidelines (NDIA 2025: 78) and prompting a review of the way supports are funded. Unless undertaken in careful consultation with service users, changes arising from the review could reduce expenditure but create much poorer outcomes for people with disability and their families.

In aged care, public funding is not keeping up with demand and community need (Meagher 2021). In spite of government investment in more home care packages, waiting periods for a package can still exceed 12 months, leaving older adults without the services they need, and families filling the gaps. Many older adults, their families and carers find the system extremely difficult to navigate, making it difficult for the system to

meet the needs of older people (Xie 2024). The greater focus on consumer-directed supports in disability support and aged care has seen the needs of family carers become less visible. The Carer Gateway has gone some way to addressing this challenge but important gaps in carer support services remain, particularly in the area of respite (CRA 2021).

None of these care systems are meeting the needs of the community. And while increased demand for care services has made the care economy a major hub for jobs growth (Borland 2024; RBA 2024), poor work conditions and low wages make workforce sustainability a key concern, as discussed earlier in the Benchmarks. These challenges are further compounded by community concerns about service quality.

The quality of care services and care jobs is closely linked to provider type, with private for-profit services delivering lower-quality care services and wages (on average) than not-for profit providers (ACCC 2023; Meagher et al 2022). This makes the rapid and unbalanced growth of for-profit care services across the Australian care economy an urgent policy concern: the share of older people receiving in-home-care packages delivered by a for-profit provider nearly doubled between 2019 and 2024, from 21 to 39 per cent (Reports on Government Services 2024 and 2025). In Long Day Care the proportion of for-profit providers increased from 60 to 70 per cent between 2013 and 2024 (The Front Project 2024). An almost complete reliance on private capital to grow our care systems generates path dependence towards commercial operations in care service provision.

Lack of system planning leaves providers with significant discretion over where, and to whom, they offer services, as many prioritise profitability over community needs.

Barriers to entry and expansion are too low and it is difficult and costly to ensure the quality of care and jobs once providers are established. There are also significant gaps in transparency about service quality and operations. Published quality measures (such as the National Quality Framework ratings in ECEC or star ratings in aged care) communicate too little about what is important to people who need services, their families and carers. Regulator publication of quality, compliance and enforcement information is patchy and often difficult to access and interpret. While oversight efforts (e.g., fraud taskforces, shorter notice for inspections) have increased, regulators struggle to enforce quality due to resource and staffing constraints. Commercial confidentiality is prioritised over consumer safety and public accountability. This inhibits effective oversight by governments, exposure of poor provider behaviour, and sharing of best practice amongst providers. Even if quality indicators were improved and foregrounded, lack of availability or affordability means that many families have little choice in 'shopping around' for the highest quality service.

The federal government's vision for the care and support economy includes a commitment to quality care, quality jobs and a productive and sustainable care economy (PMC 2024b). However, understaffing and poor working conditions for many workers, including insecure and unpredictable hours of work persist, despite some welcome wage increases in ECEC and aged care. Workforce data collection is still poor. Enhanced government stewardship and resourcing for robust workforce data collection and planning, delivery and oversight of the care economy is urgently required to ensure the quality, accessibility and sustainability of care services and decent work for the workers who deliver these services.

We Recommend the Federal Government:

- 1** Build a national system of universal, free, high-quality early childhood education and care (ECEC).
- 2** Increase the share of publicly owned, funded and delivered ECEC.
- 3** Extend public funding for aged care and disability support services to ensure that older adults and people with disability have equitable access to timely, affordable and high-quality care. Public funds should be used for quality service provision, not profits, and should be appropriately indexed.
- 4** Develop flagship public providers of care services to drive quality and accessibility and encourage not-for-profit provision through targeted capital investment programs.
- 5** Improve care system planning by investing in robust workforce data collection and setting clear guidelines for provider establishment, e.g. prioritising underserved areas and those providers able to demonstrate high quality offerings.
- 6** Invest in the development of sustainable and decent work for the care workforce. Care workers should be directly employed by service providers, receive decent wages and conditions and job security, and have opportunities for training, career progression.

Gender Pay Equality

The gender pay gap (GPG) is a systemic feature of the Australian labour market. Progress to reduce the GPG is slow and uneven. In 2001, the GPG for full-time ordinary earnings was 15.4 per cent - twenty-three years later in May 2024 it was 11.5 per cent (equal to a \$231.50 per week gap). The GPG is wider for full-time total earnings (14.2 per cent) and increases to 27.6 per cent for average total earnings (ABS 2024). Wage gaps are evident in hourly and weekly wages and across industries and occupations. The gender earnings gap is a combination of gendered work hour gaps (Strazdins et al 2022) and gender discrimination (KPMG 2022). The GPG and its contribution to income inequalities between women and men has long term consequences for women, evident in the gendered distribution of superannuation balances (Austen and Preston 2024) and wealth (Stewart 2022).

While there has been considerable policy attention paid to assisting women with work and care, including childcare provisions and paid parental leave, persistent gendered differences in the distribution of care and domestic work (Baxter et al 2023) and variations in paid work between women and men remain, as highlighted above. These patterns of work and care reflect enduring weaknesses in regulatory and policy settings and strongly gendered norms about work

and care. **Gendered social norms, including about women's role in unpaid care, play a key role in explaining the persistent gender gap** in the different forms of labour market participation by women and men (Preston 2023). This is demonstrated in women's higher incidence of part-time and casual work and limited opportunities for career progression (Laß and Wooden 2020). Work hours in female-dominated industries are far lower than those in male-dominated industries, meaning the combination of work hour differentials and gender undervaluation contribute directly to the GPG.

The GPG also reflects impediments to the proper valuation of work undertaken by women by industrial tribunals, especially in female dominated industries and occupations. Ensuring that pay and hours provisions in awards and enterprise agreements support gender parity in wages and conditions is a critical requirement given the importance of institutional measures to labour market outcomes for women (Craig et al 2024; Sobeck 2022).

Following legislative amendments in 2022, **promoting gender equality is now an explicit objective of the Fair Work Act, and achieving gender equality is now part of the minimum wage and modern award objectives.** Recent wage increases in aged

care, achieved through a lengthy work value case, and in early childhood education and care (ECEC), through a successful multi-employer agreement under the supported bargaining stream, reflect the increased recognition within labour law of the gender undervaluation of work. The welcome prioritisation of five key feminised awards for review by the Fair Work Commission (FWC) is also evidence of a new approach.

Further progress is required to ensure the FWC recognises and remedies the full extent of gender-based undervaluation of work across a broad range of industries and occupations in award rates, in addition to gender-based differences in paid rates in enterprise agreements as well as over award payments and individual pay arrangements

covered under the equal remuneration provisions. Amending the section 3 object of the Fair Work Act to *achieving* rather than promoting gender equality would align the objects of the Act with the commitment to achieving gender equality in the Act's modern award and minimum wage objectives and extend it to paid rates under enterprise agreements.

An equal remuneration principle would support the FWC through guidance on the indicia of gender undervaluation. Recognising the extended and protracted nature of gender-based undervaluation proceedings and the burden on the parties mean that applications should be resourced through timely data and research supplied through the FWC.

We recommend the Federal government:

- 1 Strengthen the commitment to gender equality in the Fair Work Act by amending the current section 3 object in favour of *achieving* rather than simply promoting gender equality.
- 2 Strengthen the Fair Work Act provisions that provide a commitment to equal remuneration and the elimination of gender-based undervaluation in awards through the introduction of an equal remuneration principle to guide the Fair Work Commission on the indicia of undervaluation and its articulation in minimum and paid rates of pay.
- 3 Amend the Fair Work Act to ensure the commitment to equal remuneration and the elimination of gender-based undervaluation also enables the Commission to consider the contribution of working time provisions to gendered pay disparities.
- 4 Resource the Fair Work Commission to provide the necessary data and research for applications for equal remuneration and work value to address the gender-based undervaluation of work, and to support multi-employer bargaining in feminised industries.

Safe & respectful workplaces

Major legislative changes in 2022 saw the implementation of key outstanding recommendations from the 2020 Respect@Work Report. This included important changes to the Sex Discrimination Act 1984 (SDA). **The SDA now places a positive duty on all employers** to take reasonable and proportionate measures to prevent sex discrimination, sexual harassment, sex-based harassment and victimisation of workers and others, and is enforceable by the Australian Human Rights Commission (AHRC). The new positive duty has the potential to improve workplace gender equality and build more respectful workplace cultures. It also has potential to challenge structural discrimination against women in pay and conditions, because it requires employers to take steps to prevent indirect sex discrimination. However, inadequate resourcing of the AHRC may limit the impact of the positive duty, reducing the reach of public education campaigns and capacity to enforce the law.

The Fair Work Act also provides new individual protections against discrimination and sexual harassment, with the FWC empowered to conciliate these claims. Harassment and gendered violence are covered by existing positive duties on businesses to take steps to ensure health and safety in respect of work. Safe Work Australia

(SWA), and state work health and safety (WHS) agencies provide practical guidance for employers on complying with WHS laws to prevent harm from sexual and gender-based harassment at work (e.g. SWA 2023).

Despite these welcome legislative changes, **employers, workers and victim-survivors experience high levels of confusion and low awareness about the legislation.** The plethora of legal rights and complexity of legal options are confusing and intimidating for victim survivors, deterring them from seeking justice. Victims continue to experience apprehension about confidentiality and fear of retaliation in the workplace. Many employers also have low awareness and understanding of their obligations under the new SDA positive duty and existing WHS positive duties, limiting effective implementation and compliance.

Inconsistent guidance materials create additional difficulties. Guidance on preventing sexual harassment at work is currently produced separately by each regulatory agency (AHRC, WHS agencies, and the Fair Work Ombudsman). **There is a lack of coordination between these regulatory agencies in creating consistent and useful educational resources** that raise awareness and promote compliance with prevention laws. This situation might reflect

historically siloed institutions; however, the federal government needs to fund, encourage, facilitate and require better coordination between agencies tasked with ensuring safe and equal work.

The ratification by Australia of International Labour Organization Convention 190 on violence and harassment in the world of work means the new NES on paid FDVL entitlement of 10 days is now available to all employees. A 2024 Review of the operation of FDVL found that while further legislative change was not required, statutory agencies' resources need improving and promotion, and further public education campaigns need to be implemented to assist employers to effectively implement family and domestic violence prevention strategies (Seymour et al 2024). The Review identified concerns with the FDVL's practical operation: (1) lack of adequate awareness, particularly among small business, casual employees and groups likely to assist those experiencing family violence (hospital staff, first responders, and courts); and (2) the need for employers to better understand whether and when to request evidence of family and domestic violence and how to best protect confidentiality. Practitioners (e.g. McFerran 2022; Women's Legal Services Australia 2024) also recommend the need for additional expert-informed guidance and training on developing workplace safety strategies; for example, dealing with unauthorised entry to buildings and car park safety; confidentiality management; guidance on requests for evidence of FDV; and awareness of FDV support services.

The Workplace Gender Equality Agency (WGEA) requires organisations with more than 100 employees to report annually on whether they have a policy and strategy in place to support employees experiencing domestic violence. While employers will be asked in future reports to state the number of employees taking FDVL and the number of days taken overall; and the number of

employees who have used the maximum available leave days, the provision of this data is voluntary and will only be reported on in aggregate, if at all (WGEA 2024).

We recommend the Federal Government:

- 1** Increase resourcing of the Australian Human Rights Commission (AHRC) to enable and support enforcement of the Sex Discrimination Act's (SDA) positive duty.
- 2** Resource and enable cross-agency coordination and collaboration between the relevant agencies (AHRC, Fair Work Ombudsman, and work health and safety (WHS)) to jointly develop educational resources and share best practice for compliance and enforcement of both positive duties and paid Family and Domestic Violence Leave (FDVL).
- 3** Address employer and employee awareness deficits of SDA and WHS positive duties in respect of sexual harassment and discrimination, and FDVL, through multi-channel public education campaigns, including groups who assist those experiencing family violence such as hospital staff, first responders and courts. Undertake further research into barriers experienced by employees seeking FDVL, particularly casual and other groups of employees facing particular disadvantage, and into strategies to overcome these barriers.
- 4** Support the further development of educational resources for businesses and other employers that are clear, consistent and underpinned by evidence about ways to prevent harassment and discrimination in work and FDVL. This should include training on confidentiality management strategies by human resources personnel and awareness of domestic violence support services.
- 5** Improve annual Workplace Gender Equality Agency (WGEA) reporting on FDVL. Future *mandatory* questions on FDVL should address (a) the number of employees taking FDVL and the number of days taken, differentiating between permanent and casual employees; (b) the number of employees who have used the maximum available leave days; (c) internal publicity on the availability of FDVL; and (d) whether there is a general safety strategy in the organisations.
- 6** Regularly review legislative changes to ensure they are effective in providing for safe and respectful workplaces.

Institutional support for decent work and decent care

The efficacy of work, care and family policies is shaped by how they articulate with tax and transfers (including income support), Higher Education Contribution Scheme debt and superannuation. Recent momentum at federal and state levels to embed gender responsive budgeting (GRB) into the budget cycle is a welcome development that recognises the need for a gender lens across the full policy landscape (PMC 2023b). GRB techniques provide a systemic approach to enhancing work/care outcomes and innovation by informing new budget measures. They should be extended to all decision-making processes, including budget reviews and policy redesign, where feasible and appropriate.

Raising revenue to fund the high-quality care services the Australian community expects connects directly to debates about tax reform. Maintaining Australia's progressive individual tax system is key to embedding fairness and gender equality. However, more needs to be done to ameliorate the high effective and average marginal tax rates that persist on women's work, especially for those parenting children.

Despite welcome reforms to the Child Care Subsidy, more than half of women with childcare costs face average effective tax rates on their labour income in excess of

40 per cent, and one quarter face effective marginal rates in excess of 60 per cent on increasing their days of work (Phillips 2024). These high effective taxes are a barrier to women's work participation and economic independence, and also over-tax families. Redesign of Family Tax Benefits (FTB) A and B and delivering better financial support to families with children, is necessary to address this barrier - for example by universalising a base payment to families with children, removing the dependent income test in Family Tax Benefit B which embeds gendered economic dependence, and streamlining and reducing withdrawal rates for family payments (Stewart 2024; Stewart et al 2023)

Tax reform is also needed to address intergenerational and intragenerational inequalities in income and wealth. Younger and low-income people are locked out of the housing market while those at the top of the wealth distribution have had a very significant increase in their housing wealth and financial wealth (Cigdem-Bayram et al 2024). While young and low-income people have more financial wealth than in the past, mainly because of the Superannuation Guarantee, the distribution of wealth remains very unequal. Tax reform to increase the tax collected on capital gains, trusts and excessive superannuation balances, while keeping tax rates on labour income

reasonable, will help deliver progressivity, gender equality and the revenue needed to sustain high quality work/care infrastructure.

The income support system also poses risks to decent work and care, where payments such as FTB, income support and child support interact for sole parents and low-income families (EIAC 2024; WEET 2023). The very low level of income support is a key driver of poverty and insecurity, undermining efforts to retrain or seek work (Davidson et al 2023). Women with self and family care responsibilities are particularly at risk despite the fact they are much more likely as men to combine work with income support (DSS 2024). An increase in income support payments and improved indexation are essential for households seeking to avoid poverty while managing their work and care responsibilities (EIAC 2024). The FTB system not only impacts women's rewards from work but is linked to financial interactions between estranged parents. Removing the Maintenance Action Test and Maintenance Income Test from the calculation of FTB A would help protect women from post-separation abuse, reduce complexity and support increased financial security (Cook et al 2024). These tests require women to seek child support from former partners and expose women to risk of violence and abuse. Where women do not seek an exemption or take action to seek child support, they are eligible only for the base rate of FTB A.

We need a gender lens on superannuation and retirement income policy. The Superannuation Objective Act (2023) s.5(1) defines the aim of superannuation as to 'preserve savings to deliver income for a dignified retirement, alongside government support, in an equitable and sustainable way'. However, government intention is to specifically exclude 'demographic factors

and structural inequities' that may flow through to the superannuation system, including 'intergenerational inequity and outcomes for different groups including women, First Nations Australians, vulnerable members and low-income earners' (Superannuation Objective Bill (2023) Explanatory Memorandum, [1.41]). Tackling these inequalities is, instead, to be left to 'policy action outside the superannuation system' ([1.42]). This statement fails to acknowledge the impact of care work on women's lifetime earnings and superannuation balance (Hamilton 2024). An explicit government commitment to address gender inequity in retirement is needed, including recognition of the limits of superannuation. The assumption that women can rely on their male partner's superannuation is misplaced and leaves women vulnerable to poverty in older age.

Timely, consistent and properly resourced data and evaluation of Australia's work/care architecture is required to support an evidence-based approach to policy innovation and the wellbeing of diverse Australian households and families. This includes gender-disaggregated data collection and evaluation of the uptake of parental leave and flexible work by men; monitoring of the uptake and quality of childcare through formal and informal channels; extension of the data collection and analysis capacity of WGEA; and sustained collection of Australian time use data by the Australian Bureau of Statistics (ABS). Users now face charges for access to some ABS data, such as unit record employee earnings and hours data and Census data. It is important that the research community and those evaluating the impact of government policy continue to have free access to these data.

Time use data are essential for understanding the ways in which unpaid care and paid work are distributed, so the federal government's 2021 reinstatement of the ABS Time Use Survey after a near-20-year hiatus is welcome. However, essential measures from past Surveys have been excluded, limiting the capture of important contextual aspects of time spent caregiving. Most important is the need to capture primary and secondary care activities and data on who else is present during care (Craig 2006). For example, solo care for young children or disabled/ill family members impacts a carer's ability to engage in other activities, including paid work. Whether men perform care on their own or together with their partner is also important contextual information. Including these items in the Survey will support robust evidence-based policy on care (Austen et al 2024).

The ABS industry and occupational classifications are increasingly inadequate in accounting for and describing the rapidly growing care workforce in aged care, disability support and ECEC. In particular, industry (ANZSIC) data on home care for the aged, disability support, and the ECEC sectors are not available, with these services included in the aggregated grouping of 'other social assistance'. Lack of disaggregated data makes it difficult for policy makers to accurately track the characteristics of employment and of the diverse workers in these sectors. In turn, this directly constrains the development of government policy, planning and future strategies in the care sectors. Whilst a recent ABS review of ANZSCO occupational classifications, now the Occupation Standard Classification for Australia (OSCA), has led to improvements in the descriptions of aged care and disability support work, the designation of the skill level of frontline occupations does not adequately recognise the hierarchy of skill levels identified by the Fair Work Commission in the recent Aged Care Work Value Case (2024).

We Recommend the Federal Government:

- 1** Establish a strategy and timeline to embed gender responsive budgeting (GRB) strategies across all government decision-making processes, including taxation and transfers.
- 2** Explicitly address gender inequalities in the superannuation system and make explicit the need to address intergenerational inequality and outcomes for different groups including women, First Nations peoples and low-income earners in retirement.
- 3** Develop strategies to address the lifetime cost of care embedded in the labour market patterns of women, First Nations peoples and other vulnerable groups; for example, through carers credits.
- 4** Substantially increase the rate of working-age income support payments, in line with the Economic Inclusion Advisory Committee's recommendation, and maintain the adequacy of payments by improving indexation arrangements.
- 5** Develop and consult on a policy to reform Family Tax Benefit (FTB), in particular to address the gender inequality of the dependent carer income test in FTB B, which stands in the way of women's workforce participation, and to restore the level of payments to families caring for children.
- 6** Remove the Maintenance Income and Action Tests from the calculation of FTB A for families eligible for child support.
- 7** Invest adequate funding to maintain and develop existing and future data sets (including the Australian Bureau of Statistics (ABS) Time Use Survey), provide free access to datasets for researchers, and support the research capacity to evaluate policy impact and monitor changes in the work and care arrangements in diverse Australian households.
- 8** Resource the ABS to review its industry classification structures to ensure that care services are sufficiently and accurately disaggregated and described and that occupational skill designations for frontline care classifications reflect the increasing complexity and skill level of the work undertaken.

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