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State Library of New South Wales

Pay equity for the library profession: a State Library of New South Wales perspective

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This paper outlines the role of the State Library of New South Wales in the NSW Pay Equity Case for the benefit of the profession.

The success of the NSW librarians' pay equity case relied on many factors. The most significant factors were arguably those critical to the success of many endeavors. These include hard work, thorough planning, and a willingness to build a coalition from a range of interests and positions. Additionally, the willingness and interest of the parties to test and resolve an issue led to NSW librarians having a significant impact on the status of the profession both locally and more widely, evinced by the invitation to speak today.

Take

- A history of activism, and
- A conjunction of professional, industrial and political interests

Add

- The ability and willingness to speak up and be persuasive
- An appreciation of and interest in the historical perspective
- Lots of hard work over an extended period
- And a large pinch of courage and good timing

Resulting in

- A hard fought and well deserved wage increase that put librarianship on the front page and the front foot, and
- Additional funding and kudos for the State Library of New South Wales
- In addition, most significantly, public and industrial recognition of the profession's status.

An employer perspective on pay equity

Pay equity, as a concept and outcome, is significant to the State Library of NSW because it demonstrates the importance of the library and information profession, and the significance of the work undertaken by the librarians at the State Library of NSW and other major research libraries. The State Library's involvement in the NSW Pay Equity Case and precursor investigations into the worth of the library and information science profession has made a significant contribution to public recognition of the professional stature of librarians. The case also highlighted the role and significance of libraries. The leadership role of the State Library of NSW and that of the NSW Government in best practice industrial relations was confirmed by the case and its outcomes.

The Pay Equity case outcome has given the State Library of NSW a significant market enhancement in attracting the best employees, through paying professional salaries for professional skills; improved employee retention rates through improved salaries; given the organization more flexibility in recognition of the diverse professional qualifications that are required by twenty first century libraries, while acknowledging and elevating the specific and unique role of the librarian.

Additionally, the Pay Equity case has strategically positioned the profession and research libraries in Australia in the employment market place, and enabled focused workforce management planning.

The industrial background

One of the characteristics of the Australian industrial relations system (up until now) is its centralised nature, with a large proportion of the workforce covered by legally binding awards and agreements. The centralised wage fixing system has, generally speaking, produced better outcomes for female workers compared with many other countries, even through the labour market is generally characterized by gender segregation.¹

In Australia, the Harvester Judgment of 1907 marked an industrial watershed through establishing a basic wage for a breadwinner. Naturally, the breadwinner was male and thus responsible for family members. The case illustrates an early entrenchment of the male/female wage differential.²

By way of background it is worth noting that in 1919 the basic female wage was established as 54% of the male wage. In 1943, the female rate was lifted (through labour shortages due to the war effort) to 75% of the male rate. In 1969, the first federal equal pay case introduced the concept of equal pay, to be progressively phased in. Notwithstanding, equal pay was not provided where the work in question was *essentially or usually* performed by women. In the

¹ NSW Pay Equity Taskforce. (1996) A woman's worth: pay equity and the undervaluation of women's skills in NSW: issues paper p5

² Hargreaves, Kaye (1982) Women at work, Penguin, Ringwood, Victoria

1972 review of this principle, the equal pay for work of equal value principle applied. The application of the principle was somewhat skewed in that it did not address the impact of the highly gender segmented Australian labour market. The introduction of legislation in 1973 supporting equal pay in NSW also failed to address the wages gap between traditionally male and female jobs.³

Subsequent industrial developments such as the adoption of the Structural Efficiency Principle in 1988 following the National Wage Case allowed for examination of the relativities between workers under a particular award, amongst other features. At the state level the introduction of the *NSW Industrial Relations Act* (1996) had as one of its objects the redressing of inequitable pay and employment. The Attorney General and Minister for Industrial Relations, the Hon. Mr J.W. Shaw QC MP indicated in introducing the legislation in late 1995 that ‘equal remuneration and other conditions for men and women doing work of equal or comparable value’ was a minimum objective of the legislation and that the government intends ‘making submissions in the pay equity test cases and other areas relating to equality of opportunity.’⁴

Occupational segregation

Generally in Australia female professionals tend to be concentrated in different occupations and industries than men and in areas where their role is undervalued both in terms of skills used and in actual remuneration.⁵

The male – female pay gap is especially pronounced when discretionary income such as overtime and above award payments are taken into account.⁶

Early involvement in testing the issue

In 1995-6 the State Library was invited to submit 20 job evaluation ‘peg’ positions to an equity project identified by the NSW Office of the Director for Equal Opportunity in Public Employment. The project compared the responsibilities and salaries of NSW government employed geologists, a male dominated profession; to librarians, a female dominated profession. This was a follow up study to a 1991 project that tested job evaluation methodologies across the public service as part of the Structural Efficiency Principle framework.⁷ The initial study pointed to a discrepancy in job evaluation outcomes for library and related occupations. This alerted members of the profession that their long held belief that librarians were underpaid, may have a testable, and contestable basis.

In 1996 the NSW Government launched the NSW Government’s first Pay Equity Statement, in response to concerns about adverse outcomes for women in the enterprise bargaining process. The statement committed the Government to report annually (on International

³ NSW Pay Equity Taskforce. (1996) A woman’s worth: pay equity and the undervaluation of women’s skills in NSW: issues paper p3

⁴ NSW Legislative Council Hansard. 23 November 1995 p3844 and p3846 accessed via www.parliament.nsw.gov.au on 20 June 2005

⁵ NSW Pay Equity Taskforce. (1996) A woman’s worth: pay equity and the undervaluation of women’s skills in NSW: issues paper p37

⁶ NSW Government’s Pay Equity Report (1998) p4

⁷ State Library of NSW administrative files 1681 series and 92/ASLN/2481 series

Women's Day!) on the outcomes of initiatives and progress towards pay equity.⁸ At the time, the only other country with a comparable strategy was Canada.⁹

An issues paper *A woman's worth: pay equity and the undervaluation of women's skills in NSW* was released in 1996 with a call for submissions on the topic. A wide range of individuals and organisations made submissions to the taskforce including lobby groups, government agencies, individuals and the State Library of New South Wales.

In 1997, a report was released by the Government entitled *Pay Equity and the Undervaluation of Women's Skills in NSW* under the auspices of the NSW Pay Equity Taskforce. This report was issued in response to the submissions received to the *A woman's worth* issues paper.

The Ministerial Reference by the Attorney General and Minister for Industrial Relations the Hon. Mr. J.W. Shaw QC MP establishing the Pay Equity Inquiry towards the end of 1997, was highly significant for advocates of pay equity in Australia.

The Pay Equity Inquiry was a review conducted by the NSW Industrial Relations Commission (IRC) in 1997-98. The inquiry examined the undervaluation of women's work in New South Wales. A comparison of Librarians and Geoscientists was included as a case study in the Inquiry because Librarians are predominantly female and Geoscientists, mainly male. The Inquiry recommended that the Equal Remuneration Principle be established and that the value of Librarian work should be reviewed.

The Inquiry, headed by the Honorable Justice L. C. Glynn of the NSW Industrial Commission, sought and received evidence from our professional association, the Australian Library and Information Association (ALIA); the NSW State Librarian; academics; State Library of NSW staff representatives; lobby groups such as the National Pay Equity Coalition (NPEC) and trade union officials amongst others. Copious evidence about the role of librarians; the nature of the modern library and information industry, especially in relation to the State Library of NSW, and historical background on industry changes, especially those pertaining to NSW, was presented as evidence.¹⁰

Librarians, including those at the State Library of NSW were characterised as: female (86% of the workforce at the time); highly qualified; unionised; engaged in a work environment with low staff turnover; and, employed under industrial instruments that tended to maintenance of the status quo.¹¹

In historical evidence given to the Inquiry, the history of award movements for librarians and related professions was examined and award and job evaluation information was extensively analysed. Other evidence focused on sociological and industrial studies of the library profession such as the Encel, Bullard and Cass monograph.¹²

The history of the State Library of New South Wales was a key example in explaining some of the historical factors leading to the undervaluation of female librarians. The dominance of

⁸ NSW Government's Pay Equity Report (1998) p 6

⁹ Media Release issued 8 March 1996 by the Attorney General and Minister for Industrial Relations (available through the NSW Parliament Library collection)

¹⁰ Library Council of New South Wales. Annual Report. 1998 p28

¹¹ NSW Pay Equity Inquiry (1998) vol 1 pp391-2

¹² Encel, S, Bullard, CG, and Cass, FMB (1972) *Librarians - a study*. UNSW University Press, Sydney

men in senior library positions (both locally and generally in Australia until the mid 1980s) and the under-recognition of the professional nature of the work contributed to the inequality in remuneration faced by women. Additionally, the employing body (the then NSW Public Service Board) made access to senior positions and recognition of qualifications difficult for women.¹³

State Library involvement in the Pay Equity Case

The State Library, in concert with the Public Employment Office, presented evidence and a methodology that provided proof of the extent of the undervaluation of librarians and, to a lesser extent, library technicians, when compared with other public sector professions and related classifications. Additional extensive evidence presented by the employer included analysis of job evaluation outcomes and comparisons with other professional and para-professional occupations from the public sector and the academic environment. Witness statements from senior library professionals and extensive workforce data such as qualification levels and length of time at specific grades were also presented as evidence.

Site visits preceded the case. State Library managers were encouraged to rehearse their presentations and possible questions from the site visit delegation, which included the industrial relations commissioners, who would hear the case before the commission.

The first day of hearings sparked much media interest, including clichéd questions and headlines. They say all publicity is good publicity – and it was great to see our staff and our library headlining the major news bulletins.

One of the significant outcomes for the State Library, foreshadowed by me at senior government levels early in the run up to the pay equity investigations, was securing supplementary funding for the State Library as one of the major agencies affected by the case, in the event of a significant pay increase.

The outcome of the case

The principal outcomes of the Crown Librarians, Library Technicians and Archivists Interim Award were:

- the historical undervaluation of the professions on a gender basis was recognised
- all occupational groups were covered under the one award across the NSW public sector, with librarians and archivists paid under the one scale, and library technicians and library assistant paid under an overlapping scale, with librarians and archivists having a separate classification structure
- the work value of librarians, library technicians and archivists has been recognised as significantly increasing over the past decade or so; this increase in work value had not been taken into account in fixing these groups' wages;
- and, that librarians and archivists fit comfortably into the group of occupations historically been regarded as the 'public service professions', including legal officers, engineers, teachers, scientific officers, psychologists and professional officers. 'We also consider that librarians and archivists may also be properly considered as professions in the more general sense',¹⁴

¹³ NSW Pay Equity Inquiry (1998) vol 1 pp 402 - 426

¹⁴ Crown Librarians, Library Officers and Archivists Award Proceedings – Applications under the Equal Remuneration Principle, Re [2002]NSWIRComm 55. Statement of the Full Bench. <http://caselaw.lawlink.nsw.gov.au/isysquery/irl5fcc/1/doc> accessed 20 June 2005

- moreover, the new award contains classification descriptors, potentially limiting doubt or controversy in relation to the role of job evaluation in either entrenching or masking undervaluation.

In summary, the interim award provided for:

- salary increases of 1% to 26% depending on the 'step' or grade in the classification or grade
- retention of separate classifications within the one award
- qualifications recognised by the Australian Library and Information Association (ALIA) as the appropriate qualifications for appointment to Librarian and Library Technician positions together with the employers capacity to recognise other qualifications and experience equivalent to ALIA recognised qualifications
- In addition, the creation of a modified grade structure for Librarians and Archivists.

The implications of the case and its outcomes for the State Library of New South Wales offered opportunities and challenges for the Library in meeting its long-term service delivery challenges. These included confirmation and testing of librarianship's equivalency to other professions - highly significant in light of the State Library of NSW's ongoing role as a major public and reference library and for its professional leadership in the sector.

Secondly, the award structure accommodates creation and grading of positions based on depth of specialist knowledge. This has the allied benefit of creating career paths for staff that lead to specialist and/or supervisory positions, and accounts for and deals with the propensity for State Library of NSW staff to enjoy lengthy and significant careers within the one institution.

The Library has considerable ability to attract high quality applicants from within the industry because of the institution's status. Access to enhanced remuneration further increased the Library's ability to attract high quality applicants, especially those from outside the library sector.

Specifically, the Library as an employer benefited from the confirmation of the Library's right to consider applicants based on the full range of qualifications and experience and to allocate to them the full range of work for which they are trained, This enhanced the Library's ability to secure staff with new and emerging skills and represents opportunities for further streamlining as pressure to achieve efficiencies grows.

The Library has managed the workforce planning opportunities that the pay equity decision presents, such as reviewing the Library's structure to obtain effectiveness and efficiency dividends.

In conclusion

The NSW Pay Equity Case ensured that low wages will not continue to contribute as a source of professional dissatisfaction for those covered under the NSW industrial instruments. It also means that those choosing the profession of librarianship need to ensure an ongoing effort. By this, I mean that librarians have to continue the tradition of documentation, agitation and determination to ensure future recognition of the profession including appropriate financial rewards. Ongoing effort is required by all who contribute to, and are interested in the future of librarianship and libraries.

The State Library actively participated in the strategic processes and managed the government relations that led to the pay equity case and its outcomes. We took a long-range view of the government's pay equity strategies and processes. When opportunities were presented the State Library was strategically poised to take advantage at the critical moment.

Outcomes of the pay equity case were generally well supported by our staff and management – a real ‘win win’ situation, due to the well managed consultative process utilised throughout the lengthy process. For me, the case was personally and professionally gratifying because of the public recognition of librarians and libraries that was evident in the case's outcome and the judgment.

The pay equity case and its outcome were regarded as a resounding success by the profession. It attracted a lot of media attention. It generated debate about pay equity and the worth of librarians in the media including opinion pieces in the quality press. And, I'll say it again: librarians need to be absolutely vigilant and take advantage of all opportunities to ensure that the undervaluation of their profession does not occur again.

Attachment One – Industrial background information

Pay Equity Inquiry

What was the Pay Equity Inquiry?

The Pay Equity Inquiry was a review conducted by the NSW Industrial Relations Commission (IRC) in 1997-98. It resulted from a recommendation of the NSW Pay Equity Taskforce, which was established in 1996 to consider the issue of inequitable pay and working conditions for women. The Pay Equity Inquiry examined the undervaluation of women's work in New South Wales. A comparison of Librarians and Geoscientists was included as a case study in the Inquiry because Librarians are predominantly female and Geoscientists, mainly male. The Inquiry recommended that the Equal Remuneration Principle be established and that the value of Librarian work be reviewed.

Equal Remuneration Principle

What is the Equal Remuneration Principle?

The Principle, handed down in 2000, is a variation to the Wage Fixing Principles established in the *State Wage Case 1999*, and allows the IRC to review awards and adjust wage rates or other conditions of employment “on the basis that the work, skill and responsibility required or the conditions under which the work is performed have been undervalued on a gender basis.” It requires parties to show evidence of this undervaluing based on gender in order to change wages or conditions.

How does the Equal Remuneration Principle work?

The Equal Remuneration Principle provides for consideration on a gender-neutral basis of the value of the work. Actual work performed, skill, responsibilities and conditions of work are important factors in determining appropriate salaries. Labour market attraction or retention rates or productivity factors are excluded. The principle adopted permits appropriate comparisons to be drawn but does not require them. The principle does, however, require appropriate attention to be given to award relativities - both internal and external. The

principle which the Commission has adopted is modelled on the existing Work Value principle.

What other factors are considered under the Equal Remuneration Principle?

Other general factors considered by the IRC when considering Equal Remuneration claims can include:

- i. the state of the economy of New South Wales
- ii. the likely effect of its decision on the industry/employers affected and
- iii. the likely effect of its decision on employment
- iv. scope for phasing in of any increases.

Attachment two

Critical success factors in the Librarians, Library Technicians and Archivists Pay Equity Case

Political factors

‘The time had come’

The Pay Equity Inquiry was announced by the Premier of NSW, Bob Carr MP on International Woman’s Day in 1996. The longevity of the Carr government in NSW and the continuity and ongoing understanding of all the main protagonists involved in the case and the preliminary investigations made a significant contribution to the pay equity outcome.

Lobby groups and supporters

Lobbyists, trade unionists, professional ‘Eeo/diversity’ and the library and information profession were all involved in the lobbying and lead up to the case, and in some instances, provided expert commentary and evidence. Many parties took a keen interest in the case including professional, lobbyist and representative bodies. Senior members of the public service and politicians were also interested in the case and its outcomes.

Industrial factors

Vocational basis of awards/agreements in the NSW public sector

The vocationally based awards in the NSW public sector made identifying and establishing appropriate professional and paraprofessional comparators relatively easy.

Access to historical information

The historical basis of these awards including the industrial instruments that covered the librarian, library technicians and archivists was not difficult to trace through the instruments themselves, archival material, personal accounts and the literature of the profession. This historical understanding was enhanced by the mutually beneficial relationship between the library educators, employers and the library and information professional association in NSW and State Library of NSW’s leadership role in the Australian library and information profession.

Industrial understanding

The acknowledgement by most of the parties involved that the work of employees had been undervalued on a gender basis, facilitated the case’s outcome.

Other factors

Community relations

The State Library of New South Wales in particular, one of the lead agencies in this case, enjoys good community relations. Libraries in general are well-respected organisations.

Industrial understanding

The acknowledgement by most of the parties involved that the work of employees had been undervalued on a gender basis, facilitated the case's outcome.

Acknowledgements

I would like to acknowledge the role of a range of NSW public sector agencies such as the NSW Office of Equal Opportunity in Public Employment, the NSW Department for Women and the Office of Public Employment, NSW Premiers Department and the Women's Equity Bureau, NSW Department of Industrial Relations played in managing long term research projects and advising State Library management before and during the Inquiry and the Pay Equity case.

I would also like to acknowledge the role of professional bodies such as the Australian Library and Information Association; and other organisations such as the Business and Professional Women's Association.

Attachment three – Select bibliography

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Attachment four - Case studies

Pay equity and librarians in New South Wales

By 1901 there were five young ladies employed in the lending branch and three more employed as cataloguers. The three cataloguers who to obtain there positions had to undertake special examinations in cataloguing set by Anderson (the Principal Librarian) were all graduates and one, Miss Margaret Windeyer was a graduate of the 'Library School of New York' – a very prestigious institution.

Two of the female appointees were paid 150 pounds per annum and the third was paid 145 pounds per annum. Despite their qualifications and the seniority of their positions, the salaries of these women were as low as, or lower than the salaries of the 12 men who were 'junior' to them. None of the men had degrees or the degree of responsibility that the women had.¹⁵

The late Jean Fleming Arnot, MBE, FLAA, was a former staff member of the State Library of New South Wales, who retired as head cataloguer in 1968 after a distinguished career of over 47 years of service.

Miss Arnot was active in women's organisations and a pioneer in the campaign for equal pay.

As an example of women receiving lower pay than men, in 1952, the Head Cataloguer of the Public Library of NSW (as the State Library of New South Wales was previously known), Miss Arnot was paid 1,009 pounds. Her male deputy, Mr Bolt was paid the higher salary of 1,101 pounds.¹⁶

¹⁵ Quoted in the Industrial Relations Commission (1998) *Pay Equity Inquiry: Report to the Minister* (Matter No. IRC6320 of 1997) in volume 1; p402-3 originally from Encel, S. & Ballard C.G. and Cass, F. (1972) *Librarians: a study* UNSW Press; Kensington, Sydney

¹⁶ NSW Office of Equal Opportunity in Public Employment (1998) *Pay Equity Case Study: Librarians and Geologists*. OEOPE, Sydney p31