

Managing Diversity in the Pacific Region

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Purpose

- Examine the approaches to diversity management in the South Pacific - New Zealand (Aotearoa), Australia and French Pacific Territories: Polynesia and New Caledonia.
- All European settler societies
- New Zealand and Australia part of the British Commonwealth with the British monarch the nominal head of State.
- The French Pacific Territories remain a dependency of France.
- **The focus of the analysis is on the legislative requirements promoting diversity and equality, organisational programs to promote diversity and equality, and the equity and diversity challenges confronting each of the countries/territories.**
- **emphasis is on gender and Indigenous communities.**

Common Features

- All have Indigenous populations with a unique culture and history. European settlement was imposed in late 18th and 19th centuries and to different degrees Indigenous communities and lifestyles have been irrevocably altered.
- Immigration from Europe, and more recently from Asia, has been an ongoing feature of the region.
- High labour flows: Australia and New Zealand have free labour movement programs between them. Strong labour flows from the Pacific Islands, especially to New Zealand which has strong colonial and ethnic ties with many of the Pacific Islands

New Zealand – Soft Regulation

- Legislation regarding diversity management is minimal, with an anti-discrimination focus.
- The focus of legislation is one of anti-discrimination, and does not require reporting or action on diversity.
- The Equal Employment Opportunities (EEO) Trust has encouraged diversity management practices with government support from the 1990s.
- The Employment Relations Act has been extended since 2007 to include some minimum rights to enable care responsibilities to be managed through flexible working arrangements

Maori Disadvantage

- Treaty of Waitangi.
- Long term structural disadvantage evidenced in employment statistics.
- Disadvantage is even more obvious for Maori youth (Rangatahi) who face higher unemployment levels, lower involvement in education and training, and higher use of government benefits.

Women & Work in NZ

- Women are still under-represented in governance in New Zealand: women comprise less than 20 per cent of Judges, 25 per cent of senior academic staff and less than 20 per cent of top legal partnerships (Human Rights Commission, 2012).
- The gender pay gap in New Zealand fluctuates between nine and 12 per cent, but is significantly higher in government departments with a pay gap of more than 20 per cent in the New Zealand Treasury and the Department of the Prime Minister (Human Rights Commission, 2012).
- Women are not making it to the top in professions, for example, in the legal profession there are more than 20 years of women law graduates outnumbering men law graduates, yet few women in senior legal positions (Pringle et al., 2013).

Australia

- Anti-discrimination legislation began 1975
- Equal Opportunity Legislation from 1986. Currently *Workplace Gender Equality Act 2012*. Requires organisations with more than 100 employees to produce plans and policies to address gender equality. Public sector includes gender, Indigenous People, people from non-English speaking backgrounds, people with a disability & age.
- This change in policy involves a “stretching” of the concept of managing equality and inclusivity and includes new areas of meaning for difference management and the growing recognition of ethnic stereotyping, sexism and discrimination in the workplace (Taksa & Groutsis 2010).

EEO in Australia

- EEO legislation uses the social justice framework and encourages analysis of systems and structures to identify discriminatory processes and the design of appropriate remedies at an organisational level (Ronalds 2008).
- Rather than being an alternative to anti-discrimination, EEO is seen as an umbrella term that includes a range of corrective responses to discrimination past and present (Poiner and Wills 1991). Ultimately the business case was encouraged linking equality and diversity to higher productivity, stretching the concept even further.
- The *Workplace Gender Equality Act 2012* now focuses the debate on gender equality, highlighting equal remuneration between women and men, and caring responsibilities as key dimensions.

Indigenous Australians

- First nation peoples, Aboriginals and Torres Strait Islanders, form less than 3 % of the population. Since European settlement they have been subject to a range of practices and policies that have marginalised their status as citizens and resulted in them being among the most excluded group in terms of workforce participation.
- Serious attempts to reduce exclusion and discrimination in last 40 years. Include anti-discrimination policies and a range of special education, health and labour market policies designed to improve the quality of life and increase workforce access (Dyer, 2010).
- On standard health and education indicators progress has been slow, and special labour market programs have limited success in the face of poor health; remoteness; and low levels of numeracy and literacy (Dyer, 2010). Land rights laws in the last two decades following the key Mabo decision that recognised prior Indigenous occupation and the mining boom in Australia has opened up opportunities for some communities to improve living conditions and negotiate deals with mining companies around training and employment; yet these remain limited to a few regions (Hughes and Warin, 2005).
- There have been a multitude of programs that include employment, training, placement, cadetships and mentoring . There are reserved positions for Indigenous workers in public sector programs (Dyer 2010). Voluntary programs by business sector to employ and train Indigenous persons.

Challenges for Australia

- **Indigenous Peoples: Ongoing challenges.** There is debate about recognising Indigenous Australians in the constitution (AHRC 2014a); a national Close the Gap campaign to achieve health equality (AHRC 2014b); and in 2014 a report about employment is open for consultation (Forrest 2014).
- **Women: challenges for gender inclusion** include low numbers of women in traditional male sectors and in management. Individualism dominates in some organisations and industries and the ignorance of equality and diversity regulations, measures, and activities has changed little in many of those organisations.
- While the traditional cultural elements of egalitarianism, individualism and masculinity are high, the concepts of equality and inclusivity in diversity have been moulded to fit different “stories” of how the disparity between different groups has occurred and how it may be addressed. The key taboo areas with respect to gender equity remain equal pay, and the use of targets/quotas. Australian women are further away from equal pay than they were 10 years ago. Recent legislation for Gender Equality is set to challenge this taboo, and a number of specific deliberations have been made to increase wages in sectors dominated by female employment, such as child care work (Baird and Williamson 2011).

French Pacific: New Caledonia & Polynesia

- Indigenous populations: 40% in New Caledonia and 88% in Polynesia
- French overseas 'collectivities': some degree of political sovereignty and autonomous powers of jurisdiction, especially the so-called '*loi du pays*' which allows them to legislate Territorial affairs. Both Territories have sought to use this to shelter local employment.
- New Caledonia and Polynesia are registered on UN list of countries to be decolonised. NC is planning to organise an additional electoral consultation on the path towards full sovereignty. This issue is highly contentious in Polynesia due to its heavy dependence on French financial support and multi-cultural character.

Areas of disadvantage

- Broad economic inequalities linked to lower youth labour market participation and high youth unemployment among Indigenous People. The challenge lies in the connectivity of youth to the labour market, especially bridging the gap with Indigenous youth who often find themselves in a situation of double social exclusion: out of the labour market and disjointed from traditional means of subsistence and community support.
- Labour market segmentation and unbalanced distribution of wealth across spatial, racial and status-based social divisions
- The economic crisis has mostly impacted on youth and unqualified men. Female labour market participation has increased (+1.9 points from 2007 to 2012, reaching 49.1% in 2012), which may be an enduring trend as women are increasingly involved in higher levels of education.

Indigenous Glass Ceiling

- If access to employment and up-skilling at the lower end of the labour market represents the main area of concern, union officials in both Territories report the existence of a 'glass ceiling' at the other end, with native employees and especially Indigenous People being under-represented in the ranks of management, and broadly in professional occupations: no Kanak judge or Kanak lawyer for example. There is a call for positive action to break this 'glass ceiling', a call for a so-called 'Océanisation des Cadres' that is also supported and echoed by most labour organisations.

Labour legislation

- Labour legislation in private sector is aligned with French Metropolitan labour law, therefore there is some similarity with European and OECD countries.
- Both territories have specific legislation on equality in employment, including legal provisions for positive discrimination.
- Polynesian Labour Law prohibits discrimination on any ground and Pay Equity and EEO particularly. Legal provisions on equity do not exclude temporary measures in relation to positive discrimination that may address existing obstacles or inequalities faced by women (only) in employment.
- Relatively high trade union coverage because of sector-based agreements. Unions are instrumental in raising minimum conditions, which is particularly beneficial to Indigenous People.
- French expatriates working for the colonial administration benefit from a generous wage package.

Women

- **New Caledonia:** 2010, women's median wage 9% below men, mostly due to the employment structure, with male and female dominated jobs. 18% pay gap in public sector and 12% in private sector (pay gaps up to 28% in Health and Tourism).
- Women are in majority in public sector but usually employed in low qualified occupations, with less women accessing to managerial positions. The overall gap of 9% is explained by the fact that the public sector pays on average twice as much as the private sector.
- In private sector 28% of managerial positions held by women.
- **Polynesia:** seems to be a gender pay gap in private sector, principally due to occupational factors as women are more likely to be employed in low qualified service jobs, but this is offset by a higher level of female employment in the public sector. Wages in the public sector are 60% higher than the private sector.

Conclusion

- The Global Gender Gap (World Economic Forum, 2013) suggests Australia and New Zealand have made progress in addressing gender inequality, especially in education. Challenges remain in achieving leadership positions, and gender segregation in the labour market remains. Persistent problems include a 'gender pay gap, gendered horizontal and vertical segregation of occupations and industries, and women's weak representation in governance' (ILO, 2103, 60).
- UN Report on the State of the World's Indigenous Peoples (2009) outlines exclusion and disadvantage including poor public infrastructure; poor health, education and housing; high rates of incarceration; loss of culture, language and traditional lands. While progress is being made in some areas it is slow and the gap in living standards and opportunities between Indigenous and European communities remains considerable.