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**Track: Gender, diversity within organizations and the future of work**

**Exploring Diversity Management in Australian Organisations**

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**Abstract**

Diversity management recognises the differences across employees in terms of personal attributes. In organisations, the aim of equity and diversity strategies is to recognise and incorporate these differences into policies and practice to achieve equity outcomes or enhance business practices. Many Australian organisations, both public and private, proclaim on their websites that they have equity and diversity management strategies but the extent and type of these policies vary widely.

The focus of this paper is an analysis of the different policy approaches within Australian organisations, and the drivers for these differing approaches.

The article will examine the following key areas:

- 1) What is managing diversity (MD) and what are its origins in an Australian context? In particular, what factors are driving a MD approach by Australian organisations?
- 2) What is the national legislative and public policy (Australian) context in which equity and diversity policies are operating within organisations? The paper plots the trajectory of Australian approaches to equity and MD, including legislative approaches (anti-discrimination legislation and equal opportunity legislation) as well as non-legislated approaches. It examines the goals of the legislation and related policies and places them within the international policy context.
- 3) What are the benefits and drawbacks of the different legislative and policy prescriptions when implemented by organisations? The paper explores the range of approaches of MD, specifically discussing 'productive diversity' and 'valuing diversity' approaches.

The paper concludes that the complexity of the legislated approach to equal opportunity through the equal by 'sameness' treatment and the equal by 'difference' treatment has resulted in a nebulous web of structures and policies. While individuals, groups and various stakeholders can swing between one approach and the other in order to meet their needs, the system and its rules and processes that have caused the disadvantage in the past remain the same. While the multiple implementations of different equity management strategies is increasingly recommended by Australian and British scholars, the results in Australia of a mixed approach are not particularly encouraging and with outcomes that vary across industries and organisations. For example, the reports required through the equal opportunity legislation indicate a variety of policy emphasis and various implementation strategies, with more than ten per cent of organisations doing nothing and a majority of large organisations concentrating on individualised work organisation strategies.

The discussion draws on public documents and public policy, while recognising the insights gained by organisational reports and case studies of the MD programs of Australian organisations which have been conducted by the researchers.

## **Introduction**

Australia has a mosaic of anti discrimination and EEO laws that are designed to provide protection against direct and indirect discrimination for such groups as women, the disabled and gays and lesbians, and to promote opportunities for advancement in the workplace for women. These legislative requirements are in turn supported through industrial agreements that enshrine anti discrimination and EEO principles and organisational policies that ensure that such policies are institutionalised into all aspects of an organisation's operations. In turn there are policies and programs within organisations that proclaim workforce diversity as an asset and set out to nurture and harness diversity towards organisational objectives. This realm of equity programs comes under the broad label of managing diversity. Increasingly more Australian organisations are developing and proclaiming MD programs. Here the aim is to review MD in Australia, place it in its legislative context, examine the drivers for MD, discuss the relationship between MD and legislative measures that promote equity, and examine the practice of MD. Shifting responsibility for achieving equality objectives to organisations makes sense in terms of efficiency grounds and it links contextual conditions to organisational practice. However, the practice and the outcomes are themselves diverse, and even where there is some prescription and guidance as in Australian EEO legislation, the practice and the outcomes are very variable (Burgess et al, 2007). Similar sentiments apply to MD where there no guiding principles or legislative support.

## **What is MD?**

Managing diversity (MD) has its origins in the USA in the context of affirmative action policies and a rapidly changing workforce demographic (from white males to women, Hispanics and Afro Americans). In the words of Thomas (2001), the anti-discrimination and affirmative action legislation had provided the "entry tickets" into the workforce, MD was about productively developing this entry. Kirton and Greene (2005) point out that the US context of MD is very specific to legislative, political and demographic conditions, and that MD as a business process is not necessarily transferable to EU nations. Similar sentiments apply to the application of MD in Australia, one has to be cognizant of the legislative and demographic context of MD policies (Strachan, Burgess and Sullivan 2004). MD is also organisationally specific. Diversity is nurtured and controlled within an organisational context. MD is confined to those organisations that are sufficiently large to have diverse workforces and a human resources (HR) division that is responsible for workforce management and development. MD is individualised in the sense that each organisation develops its own program subject to its own needs and those of its employees. MD has no legislative authority, while programs have to co-exist with and conform to universal legislative conditions such as anti-discrimination laws, the authority for MD comes from within the organisation. In this context MD can be said to be fluid and evolving, subject to development and change as the organisation evolves. It follows that MD is inexorably linked to organisational goals, and hence discussions of MD invariable are linked to the "business case" for MD (Holterman, 1995).

Diversity itself remains an unclear concept. Once again, it is contextually specific and linked to demographic and socio-political features of the population and the workforce. MD programs take place post workforce entry, while legislative programs to assist particular groups can take place pre workforce entry. Kirton and Greene (2005, 113-135) discuss the diversity features within an EU and UK context. They review data trends for women, older workers, workers with disability, lesbian and gay workers and minority ethnic groups. They suggest that "gender and race can be regarded as the major organising principles of the labour market, with disability, age and sexual orientation all factors which also influence employment patterns and outcomes" (Kirton and Greene, 2005, 7). When examining the workforce there are clear divisions by gender and age. Ethnicity, sexuality and disability are additional criteria of differentiation across the workforce. To these we could add religious and language differences. There is a tension between diversity as a factor that generates forms of exclusion and inferior material outcomes in the labour market, and diversity as a factor that can be harnessed towards improving organisational performance, as shown by Thomas (2001, 12): "Managing diversity does not mean controlling or containing diversity, it means enabling every member of your workforce to work to his or her potential". While diversity is embedded in worker difference and notions of equality and justice, the broader equity goals linked to MD are not necessarily the terms by which MD programs are assessed within the organisation.

Managing diversity offers an individual based approach towards disadvantage and it is a program of self regulation by business. MD seeks to recognise, value and utilise differences between individuals rather than dilute or deny that the differences exist. Some argue that managing diversity is radically different from affirmative action (Kandola and Fullerton, 1994; Thomas and Ely, 1996), while others support the view that one offers an extension of another (Thomas, 1991, 1996; Liff, 1999). The four main characteristics that differentiate the diversity from the equality approach are: differences are viewed positively; differences attached to group membership are downplayed; the business case rather than the social justice case is predominant; and there must be a transformation in organisational cultures (Kirton and Greene, 2005).

## **Approaches to MD**

The term “managing diversity” is broadly used to include a range of processes for managing difference in the workplace. Specific approaches are recognisable (Liff, 1999; Bacchi, 2000; French, 2001; Strachan and Burgess, 2001). Liff (1996) identifies four policy based approaches; dissolving differences, valuing differences, accommodating differences and utilised differences and recognises that none are mutually exclusive. However as recognised by Woodhams and Danieli (2003) and Kirton and Greene (2005) except for the concept of dissolving difference these policy approaches present little more than an extension of the old equality argument. Two major implementation approaches for managing diversity are presented here to explore the distinctions within diversity management. One approach, named here as “productive diversity”, is based on a business case for diversity management, and the other, named here as “valuing diversity”, is based on a human resource/organisational development approach.

### ***Productive Diversity – A ‘Business Case’***

Increasingly the value of managing the process of equity in organisations for achieving equity outcomes and addressing disparity has been marketed through the importance of the business imperative. The business case advocates increasing productivity and gaining competitive advantage through the utilisation of diverse individuals and their different skills. In fact, ‘the business case’ has also been argued as an objective of the equal opportunity approach to equality (Kirton and Greene 2005). Based on utilitarian and efficiency principles, this perspective on managing diversity operates with the view that all the different skills and abilities of individual employees can be utilised to contribute to the productivity of the organisation. Utilitarianism recommends diversity for reasons of practical and mutual benefit (Shaw, 1995) and productive advantage (Cope and Kalantzis, 1996) rather than for social justice reasons.

Strategies support a human capital theory approach in advocating the putting to use, or finding a profitable or practical use for a diverse range of people and their skills, representative of society rather than exclusive of some of the minority groups within that society. The benefits to be gained from workforce diversity through the use of business networks, varied skills, cultural understandings and market knowledge include stronger corporate image, increased productivity and reduced labour turnover (Holtermann, 1995; Bruegel and Perrons, 1995). Cope and Kalantzis (1997) argue that productive diversity is no more and no less than good business sense because in the new global environment local diversity and global interconnectedness are more critical productive factors than they ever have been. The use of family-friendly policies is also recognised as providing a means of managing for diversity than can provide economic benefits through the reduction of staff costs in turnover, sick leave, absenteeism and stress (Kramar, 1995).

However, addressing any unfair disparity by acknowledging diversity for reasons of increased productivity has severe limitations, due in part to the fact that not all individual rights or abilities can be reduced to tangible productivity gains. Dickens (1997) suggests that the business case for equality is contingent upon the profitability of the firm and the vagaries of the product market. This becomes dangerous if and when that inequality is judged as productive (Hall, 1995). If diversity policies are only introduced to support a business objective, there will be times when an homogenous workplace further sustains the business objective (Kaler, 2001) or worse when ambivalence results in limited improvement.

The business case for managing diversity is recognised as offering a narrow approach to achieving equity. Rarely does the business case consider inequality including low pay, the rights of part time workers, the power differentials or the sexual division of labour (Cockburn, 1991; Dickens, 2000; Liff and Dickens, 2000; and Gagnon and Cornelius 2002). The narrowness can be reduced through the recognition and inclusion of other driving forces for change. Dickens (2000) challenges the business case for diversity as an efficient means of achieving equal opportunity. Without legislative and social regulation the business case is doomed to a constricted implementation of managing diversity. “State intervention is central to an equality agenda because the market tends to produce discrimination, not equality” (Dickens, 2000:13).

### ***Valuing Diversity***

The basic premise of this perspective for addressing workplace disparity is the accommodation of different individuals and the adaptation of organisation systems for reasons of best management practice and mutual benefit and development. It involves including everyone in the process, recognising diversity as good business and relaxing assimilationist criteria by changing the dominant culture (Thomas, 1996). Cross-cultural education including sharing, mentoring and networking is recommended as assisting individual and group change (Cox, 1991; Moran, Harris and Stripp, 1993; Fine, 1995). Liff (1999) notes that research indicates the bulk of policies utilised by organisations fits closer to ‘valuing diversity’. The question is then whether this approach offers anything different to the traditional liberal equality approach (French, and Maconachie 2004; Kirton and Greene 2005).

The benefits of managing disparity through this approach include acknowledgement of the changes required to cultural, political and structural systems within organisations, rather than to either individuals or disadvantaged groups or both. Without substantial change to these systems, different individuals will continue to be indirectly discriminated against. This is recognised as a major deficiency of the legislated approaches that seek to force employees to fit pre-existing structures and

practices. In addition, this approach analyses workplace disparity issues and seeks to treat the problem, namely the structures, rather than addressing the symptoms.

A limitation in using the valuing difference approach is that any change will be extremely slow, with no guarantee that the major changes required to workplace systems can or will actually take place. Thomas (1996) believes that an organisation may take several years to determine real needs and as long as twenty-five (25) years to realise true change. This of course does little to assist individuals in the workplace today. Liff and Cameron (1997) suggest that where traditional equal opportunity strategies encourage a view that women have a problem and need help, managing diversity encourages the view that organisations create problems for some groups while advantaging others. Changing organisations is more difficult and more time consuming than offering extra assistance and training to a group identified as deficient. In addition the traditional equal opportunity strategies 'pass the buck' for any lack of success to the individual, who is deemed to be not only deficient but also difficult to please.

### **MD in an Australian context and the drivers of MD**

A search of the web sites of large private and public organisations will reveal that nearly all embrace MD. Some of the statements that proclaim MD include:

\*Coles Myer Retailing Group: Our Diversity Strategy: 'linked to the goals, values and behaviours of the business. Its focus was determined by the desire to make Coles a place where people want to work and an awareness that the workforce needs to reflect the diversity of both customers and the wider community.' 'Diversity is increasingly being melded into the culture of the organisation, thanks to a clearly defined strategy with accountability at executive level and the integration of diversity into a range of cultural programs, as well as recruitment and development' (EOWA, 2008).

\*General Motors Holden: 'the very clear need to gain greater access to the talent pool has been identified, as well as the importance of attracting and retaining more women, particularly into non-traditional roles such as engineering' (EOWA, 2008).

\*Federal Department of Employment and Workplace Relations: "workplace diversity is about creating an inclusive environment in which our diverse skills, cultural perspectives and backgrounds are valued" (DEWR, 2002).

\*Mobil Oil: "diversity and inclusion at Mobil means that we respect the difference between our employees" (Lynch, 1998, 21). Behind the public relations statements it is difficult to find, in many cases, the substance of MD programs.

At one level MD represents a form of public relations and can be placed within the context of corporate citizenship. Large organisations are expected to enshrine basic principles such as equality and to embrace anti-discrimination in the workplace, and MD gives substance to these principles. At another level MD reflects the realities of a changing workforce composition. Just as Thomas (2001) noted in the USA, the reality is that the Australian workforce is becoming more feminised, older and with growing numbers of immigrant workers (Sappey et al, 2006, ch.3). In the context of a tight labour market and a very diverse labour supply, embracing MD reflects the shift away from the traditional norms and composition of the labour supply that was prevalent in previous eras (ACIRRT, 1999). Finally, MD enables organisations to build upon the legislative base and develop programs that are innovative and attractive for employees, especially where there are labour shortages or high labour turnover. For example, programs that address work and family balance can enable organisations to retain valued employees (Sappey et al., 2006, ch.3).

At another level the rise of MD is also linked to the rise of HRM programs within large organisations. MD programs originate within organisations, are managed by organisations and are linked to organisation goals. This gives a strategic edge to MD programs and links MD to organisational performance. However, the human resource management (HRM) driver is not without its limitations, especially if the HR program are of the "hard" variety and costs and efficiency goals take precedence over equity objectives (Kirton and Greene, 2005, 225-243). Here there is a gulf between the claims of MD and EEO, and the outcomes. As Rayner notes (1998, 27) "the gulf between the rhetoric of equal opportunity and management practice is pretty obvious to those who work in business."

The factors that are driving MD programs in organisations in the EU (Kirton and Greene, 2005) and the USA (Thomas, 2001) are no different from those in Australia. While the legislative context is different and the contours of diversity within the workforce are different, the same economic, demographic and organisational factors are driving MD programs in Australia. In a review of EEO and MD case studies available on the Equal Opportunity for Women in the Workplace Agency, the issues propelling the organisation's development of an equity/diversity strategy in all the case studies relate to the shortage of skilled labour and the desire to attract and retain labour, especially women's labour (EOWA 2008). For example, the consulting engineering firm Connell Wagner identifies that 'there is an ongoing perception within the industry that consulting engineering is difficult and demanding, resulting in it being more challenging to recruit and attract engineering graduates (in particular women graduates) into the industry.' Holden expressed it as 'the very clear need to gain greater access to the talent pool..., as well as the importance of attracting and retaining more women, particularly into non-traditional roles such as engineering.' The law firm Henry Davis York reported that 'competition between law firms was, and remains, intense and

HDY needed not only to attract new recruits but also retain them and where appropriate, promote them within the firm.' World Vision and the consumer goods manufacturer Wrigley's wanted to attract a wider pool of applicants. Wrigley's expressed a common issue: attracting and retaining the best person for the job 'has not been easy and the company has recognised a need to address the growing shortage of skilled workers within the labour market by adopting more creative solutions to its job design and selection criteria.' The organisations focused on recruitment and selection procedures, and the instigation or expansion of flexible work arrangements. For example, Henry Davis York found that the 'key requirements of potential new recruits was the ability to work flexibly and for women and men to have equal access to promotional and development opportunities.' In addition, all organisations identified the low numbers of women in senior management.

### **The Australian Legislative Context for MD**

Legislation offers a coercive means for addressing workplace disparity. But there is more than one approach. Jewson and Mason (1986) identified a range of possibilities, from liberal to radical in origin, that argue for different legislative means to address disparity through achieving equality. One view of equal opportunity involves a liberal perspective where access to opportunity is based on individualism and freedom of choice and urges the allocation of human rights as a universal remedy for disparity. Another view involves a radical perspective where recognition of past disadvantage is required to plan reparation for groups through proactive strategies designed to ameliorate any inequities within specific systems. Both views dispute the neo-classical economic view which suggests unfair or biased discrimination will not occur in a free and competitive market because employers will not act against their own interests (Posner 1995) since such practices may inhibit commitment and productivity and ultimately affect profits (Becker 1971).

The substantive legislation regarded broadly as equity legislation in Australia now totals more than twelve Federal and State Acts and incorporates two approaches, anti-discrimination and affirmative action (also known as equal opportunity). The anti-discrimination legislation, according to the Convention on the Elimination of All Forms of Discrimination Against Women 1981 has dual obligations of both prohibiting discrimination and ensuring equality of outcomes (SDA, 1984). The legislation aims to overcome discrimination by ensuring equality of rights for all individuals. It is concerned with instances of individual discrimination and to provide redress and remedy for any breach. The affirmative action/equal opportunity legislation includes those Acts that stipulate a systematic approach to the identification and elimination of any barriers that disadvantaged groups encounter in the workplace. The affirmative action/equal opportunity legislation aims to overcome entrenched discrimination by requiring positive steps to change. It is not concerned with individual instances of discrimination (Ronalds and Pepper 2004). In the Australian private sector, the legislation focuses on women. In the Australian public sector, other groups included are; Aboriginal and Torres Strait Islanders; people with a disability; and people from a non-English speaking background.

### ***Anti-discrimination legislation***

The argument for equal opportunity through the use of anti-discrimination legislation advocates for the allocation of specific rights to all individuals recognising that discrimination persists even when competition exists (Bennington and Wein 1999). This argument acknowledges that in striving to achieve individual needs within a free and open market, there are obstacles including structures, processes and attitudes that can prevent some individuals from achieving the same ends (Arrow, 1973; Poiner and Wills, 1991; Bennett, 1994; Posner 1995). Anti-discrimination legislation seeks to deal with power differences and abuse of power by allocating legal rights to individuals. Yet it does not seek to re-order the power relationship (Burton, 1991). The main aim is to minimise the impact of discriminatory work practices within a particular social system rather than to change that social system itself. Anti-discrimination legislation does not deal with issues of how the economy should be structured or what should be the overall relationship between employers and workers. Questions of redistribution of the benefits and burden of the system are also not addressed (Petzall, Timmo and Abbott, 2000). Anti-discrimination legislation also seeks to ensure redress for those whose rights have been abused. Individuals who establish infringement of their rights may be awarded compensation (Ronalds and Pepper 2004), through a process of conciliation or arbitration through specific tribunals.

Managing difference and addressing inequality through anti-discrimination legislation combines a liberal perspective with human rights and universalism. Taken from liberalism is the notion of freedom of choice for individuals to make decisions appropriate to meeting their individual needs (Petzall, Timmo and Abbott, 2000). A human rights perspective adds the belief of specific rights for individuals that are inherent, inalienable and universal. That is, they cannot be bestowed by a greater power; they cannot be taken away or traded away; and they apply equally to all persons regardless of sex, status, race or nationality (Human Rights Manual, 1993). Universalism places the moral authority for taking action on an individual's duty toward others and towards humanity, advocating universal or equal action for all (Weiss, 1998). The principle of individual and universal human rights supports basic entitlements that purport to address disadvantage caused through unfair, biased or utilitarian decision-making that favours one group or a majority over others. Supported in law these entitlements provide a benchmark of rights and duties for both employers and employees (Thornton, 1990; Ronald and Pepper 2004).

Anti-discrimination legislation makes it unlawful to make discriminatory decisions in the workplace based on a number of identity differences including sex, race, religion disability, age and others. Anti-discrimination Acts in Australia identify and prohibit direct discrimination and indirect discrimination (where a requirement or condition is more likely not to be able to be complied with by members of one group and is unreasonable in the circumstances) in a number of areas including workplace and education (Ronald and Pepper 2004). It establishes standards of acceptable behaviour, outlaws sexual harassment and vilification and provides a system of redress for individual complainants against discriminatory actions. The legislation has been acknowledged as beneficial to disadvantaged groups and society. According to Ronalds (1991,10) the legislation offers something far more important in terms of its symbolic effect as it identifies "that there are certain actions and forms of behaviour which the majority of society no longer find acceptable". Evidence shows that anti-discrimination legislation has been responsible for the removal of barriers that have limited some individuals' access to the workplace.

### ***Affirmative Action - Equal Opportunity Legislation***

Affirmative action (later more commonly referred to as equal opportunity) legislation also argues against the neo-classical economic view of managing disparity through a free and competitive market system but in contrast to the anti-discrimination approach, the affirmative action/equal opportunity approach does not advocate individual, universal solutions or reactive methods of address unfair discrimination. Affirmative action/equal opportunity legislation encourages the analysis of systemic or structural discrimination in order to design appropriate proactive remedies at an organisational level (Ronalds, 1991). Systemic change through equal treatment measures is acknowledged as slow and therefore more appropriate measures of different treatment within the system are recommended. Different treatment afforded to individuals within a collective group is recommended to assist them to overcome natural or social difference and is justified as a fair means of overcoming systemic, social and/or individual differences (Poiner and Wills, 1991).

Equality through this approach combines a radical (often a radical feminist) perspective with social justice. Radical feminism provides the concept that women are naturally different from men. Some versions of feminism advocate that these differences mean women are better than men and should be separated from them in order to develop their own models of work rather than be disadvantaged through the use of male models of work (see Brewis and Linstead, 1999). Others advocate that no one group is better than the other, (Groarke (1990) recommends retribution where older (rather than younger) men who were advantaged by a biased system pay a price for that advantage). Less radical versions advocate the use of "special consideration" for groups disadvantaged in the workplace to redress any past disadvantage in a biased system. In Australia the affirmative action/equal opportunity legislation is less radical and more liberal in nature because it requires the use of merit through the adoption of processes that offer fair and equitable treatment of all people as well as the strategic identification by organisations of their needs and targets rather than the State setting a more radical quota system as executed in the USA.

Australia's principal affirmative action/equal opportunity legislation, *Equal Opportunity for Women in the Workplace Act 1999* was not intended to provide positive discrimination for women but to ensure women were not disadvantaged by virtue of their sex through biased terms, conditions and entitlements in employment (Strachan and Burgess, 2001). Individual enterprises (with more than 100 employees) are responsible for the implementation of an equal opportunity/affirmative action program. The Act includes the requirement of an analysis of current employment statistics and workplace practices. Accountability is ensured through direct reporting to a government agency, and the penalty for non-reporting is being named in Parliament and being ineligible for federal government contracts or specified industry assistance.

Rather than being an alternative perspective to anti-discrimination, Poiner and Wills (1991) suggest that affirmative action/equal opportunity is an umbrella term that includes a range of corrective responses to discrimination, past and present. Implemented through what Konrad and Linnehan (1995) determine as identity conscious structures, decision makers should consider both individual merit and demographic group identity in order to remedy current discrimination; redress past injustices and achieve fair and visible representation across all positions. This occurs by monitoring personnel decisions made about members of protected groups more stringently; comparing the numbers experiences and outcomes of protected groups with those of others and making special efforts to employ and promote the career progress of protect groups.

The use of affirmative action/equal opportunity measures do result in the development of both different structures and policies. Identity conscious structures result from equal opportunity measures and are positively associated with many indicators of employment status of women and people of colour through the amelioration of the biases of decision makers and reward systems (Konrad and Linnehan, 1995). In Australia, the affirmative action/equal opportunity approach to managing equity and addressing disparity at work has been found to be significantly and positively associated with a number of indicators of the employment status of women across all tiers of management (French 2001; French 2005). Kanter (1976) identified policy changes due to equal opportunity measures including social structural policies, role related policies and temperamental policies. Social structural policies concern organisation and work structures and are used to reduce systemic

discrimination. Role related policies address the division of labour between men and women and seek to ensure women are not disadvantaged by their different role (family) requirements in society. Temperamental policies concern personality and skills, particularly to overcome perceived deficiencies to the traditional "male" work models. In Australian organisations Sheridan (1998) found a further policy type described as opportunity policies, and used to increase career opportunities for women and minority groups. French and Maconachie (2004) identified support policies which encourage inclusivity for women in non-traditional areas of work.

The complexity of the legislated approach to equal opportunity through the equal by "sameness" treatment and the equal by "difference" treatment has resulted in a nebulous web of structures and policies engaged in the name of universal equality. While individuals, groups and various stakeholders can swing between one approach and the other in order to meet their needs (Jewson and Mason 1986; Cockburn, 1989), the system and its rules and processes that have caused the disadvantage in the past remain the same (Thornton, 1990). While the legislative approaches to equity at work offer some assistance in addressing the disparity between men and women in the workplace caused by prejudicial processes and practices, eliminating discrimination is not as simple as merely passing legislation (Gaze and Jones, 1990).

### **The Australian Experience with EEO and MD**

In the case studies of organisations which received high ratings for their equity programs (EOWA 2008) the influential role of the business case in driving MD is clear, especially in the context of a falling unemployment rate and the need by business to attract and retain skilled labour. From the five case studies, three organisations linked the strategy with overall business goals. Coles Group Diversity Strategy 'was determined by the desire to make Coles a place where people want to work and an awareness that the workforce needs to reflect the diversity of both customers and the wider community.' The outcome was that 'diversity is increasingly being melded into the culture of the organisation, thanks to a clearly defined strategy with accountability at executive level and the integration of diversity into a range of cultural programs, as well as recruitment and development.' Henry Davis York 'developed and implemented an extensive "people focus" strategy that is linked to the goals and values of the firm.' In World Vision Australia the initiatives were driven by the People, Culture and Learning Department which assisted business units 'to develop appropriate practices for managing and retaining staff.' All organisations framed their programs within an organisational business case. Most quantified savings to the organisation in some way, citing more female recruitment, increased retention and higher return rates from maternity leave. At Connell Wagner the business case for paid maternity leave had been approved by the board, and Holden had increased its paid maternity leave from 6 weeks to 14 weeks after two years service. This and flexible working options such as part-time work and job sharing had increased the return rate of women from 67 per cent to 92 per cent. Henry Davis York had achieved a 100 per cent return rate with similar strategies and had reduced recruitment costs through internal recruitment, a strategy others successfully used.

In their organisational case studies of EEO programs in the workplace, Burgess et al (2007) found that there was a gap between the statements surrounding MD and EEO and the practice. Specifically in the case of women employees who sort programs to facilitate work and family balance many workplace initiatives were blocked by line managers, the pressures of production schedules or ignorance. Few EEO programs were converted into workplace agreements, in the main trade unions did not see these issues as priorities in the bargaining round. In many of the case studies female workers depended upon informal arrangements to manage work and family responsibilities. They found that "having an organisational EEO program and workplace agreement is no guarantee that work and family measures will be introduced at the workplace. Legislated minimum standards that protect workers against overt discrimination and harassment effectively motivate companies, but only in establishing a floor. In 2004 Australian legislation already contained few minimum safeguards and hence conditions were inconsistent between organisations and even within them. Neither the industrial agreements accessed, nor the reports to EOWA offered more than token acknowledgement of work and family issues. Some organisations embrace more elaborate or sophisticated ways of enticing workers or retaining them. This is largely in response to labour market forces, such as a shortage of workers with the appropriate skills, or the costs to business of losing highly trained personnel, which are important determinants of workplace policies and practices." (Burgess et al, 2007)

The agency responsible for EEO the Equal Opportunity in the Workplace Agency (EOWA) generates a number of employer awards, provides "employer of choice for women" labelling to organisations that meet EEO criteria and provide examples of best practice arrangements across industry. This serves the dual purpose of providing recognition to organisations that have achieved equity outcomes and also provides a benchmark for other organisations to develop their own programs.

The experience with MD and EEO is patchy. Some organisations are better than others in terms of translating intentions into practice. The EOWA provides examples of best practice organisations, but there is no auditing of the organisational processes and outcomes. As the labour market has tightened many organisations have been more conscious of the need to attract and retain quality labour, and this is probably the major factor driving MD and EEO programs. Burgess et al (2007) concluded that: "The EEO and workplace bargaining regime are both very dependent on the 'business case' for family friendly employment measures, one which is supported by Government and its agencies (for example EOWA) but is in

tension with other ideas based on arguments from equity and social justice. In turn this means that such measures are unevenly distributed within and across workplaces and that development and implementation becomes very dependent upon managerial prerogative. While businesses may deploy 'flexible' employment arrangements these are not necessarily compatible with integrating work and family responsibilities."

### **Limitations of the Mixed Approach to Equity**

In Australia, organisations are made aware that they must not discriminate and have to take action to prevent sexual harassment. Outside of these clear guidelines, they face an array of policy approaches promoted by a variety of government agencies and debated in the popular press. In the absence of compulsory practices or specified endpoints, and with satisfactory work-family balance outcomes largely undefined and untested, organisations are left to make their own judgements about what is equitable for employees and profitable for business. It is not surprising that organisations are really only certain about what to do when policies are clearly spelt out in legislation (Liff 1997; Strachan, Burgess and Sullivan 2004). Australia has a mix of legislated standards and voluntary codes that support EEO in the workplace. The EEO regime is largely a reporting one and the recent industrial legislation changes reduced entitlements for many workers. From the 1980s concern with directly addressing discrimination in the workplace and promoting EEO, over the past decade the emphasis is more towards corporate responsibility and organisations doing the right thing in terms of broader equity objectives. This voluntarism has been boosted by the tightening labour market that puts pressure on organisations to acknowledge and address the diversity of their workforce. As Strachan et al (2007) commented: "Organisations are able to choose the policies and practices that they believe are appropriate to their particular business situations, and the extent to which they will implement them. This might include. attention to workers' preferences in relation to individual work arrangements and career paths; emphasis on recruiting and/or training women in non-traditional roles; increasing 'flexibility' in the span of hours worked, length of shifts and other temporal arrangements; or any one of a number of other priorities. Organisations can portray many different policies and practices as related to EEO without assessing outcomes against specified criteria or undertaking any measurement of change. Organisational equity policies and practices are determined by *ad hoc* business and labour force demands which may be coloured by the organisation's own ethics and values. "

### **Conclusions**

Subtle forms of discrimination continue somewhat insidiously in organisations with systems and practices that seemingly fulfil equal opportunity prescriptions or anti-discrimination legislation or managing diversity recommendations yet with outcomes that continue to demonstrate that people remain unfairly disadvantaged, based on unrelated and unalterable attributes or characteristics. Neither, anti-discrimination; affirmative action; equal opportunity; or managing diversity, offers a cure-all for the inequality many people experience in the workplace. The different approaches to managing individual and collective 'sameness' and 'difference' and any related disparity at work results in different structures and different policies for implementation. These different structures and policies are predictive of different outcomes on many of the measures of employment of individuals. We argue that effective equity management that brings substantive change to unfair workplace disparity is not a 'one size fits all' model. It needs to be an individually tailored model that encourages strategic change and which involves analysis of specific contextual issues in addition to analysis of current structures and systems. Yet, little is known of the factors of influence on management choice in determining their organisation's stance. Further, it requires the analysis of social issues including the 'male stereotype' as the dominant work model (Liff and Wajcman, 1996). Yet, this requires changes in state provisions and organisation structures and practices which often lag behind the need for real change. But, equally important, it requires the recognition of the importance of overcoming apathy, ambivalence and indifference by majority groups in challenging the status quo. Yet, overcoming disadvantage and getting rid of discrimination is not something that employers feel comfortable with (Kirton and Greene 2005).

While considerable research continues in the area of workplace disparity and difference at an individual and collective level little research focuses on the strategic implementation of policies designed to address disparity and more importantly the related outcomes, to develop models of excellence. Within organisations the use of various approaches including a range of structures and policies for implementing equity management is increasingly being reported (Liff 1999). In fact, the multiple implementation of different equity management strategies is increasingly recommended (Sheridan 1998; Liff, 1999; Dickens, 2000, French 2005). Our research in Australian organisations has demonstrated the prevalence of the business case approach and a wide variety of actions and policies undertaken by organisations under the equity or MD banner. These in general are often disconnected from other forms of workplace development (such as bargaining) and in many of the cases we examined there were barriers within workplaces that prevented simple measures such as flexible working hours policies being implemented (Burgess et al, 2007). In the Australian context it is difficult to find benchmarking of best practice arrangements when it comes to addressing other disadvantaged groups in the workforce. Notable groups here are indigenous Australian and the disabled.

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