

Commitment or Even Compliance? An Australian University's Approach to Equal Employment Opportunity

Engagement réel ou simple conformité juridique? L'approche d'une université australienne en matière d'accès à l'égalité en emploi

Implicación o conformidad? Enfoque de una Universidad australiana sobre la oportunidad de igualdad en el empleo

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Résumé de l'article

Cet article présente de façon empirique la manière dont une université australienne se conforme au cadre fédéral australien en matière d'accès à l'équité en emploi (AÉE). Notre but est d'apporter un éclairage sur l'écart qui peut se creuser entre les exigences de la politique et les pratiques organisationnelles et comment cet écart peut influencer sur la perception des trajectoires de carrières universitaires chez les femmes. Bien que la position désavantagée des femmes dans la carrière universitaire soit un phénomène reconnu mondialement, un examen plus approfondi de la façon dont les personnes en emploi vivent l'application des politiques et des pratiques destinées à soutenir leur avancement professionnel nous semble nécessaire, surtout à la lumière de la hausse des activités de type corporatif des universités australiennes, lesquelles ont mené à rendre l'AÉE moins prioritaire. Une étude de cas a été menée pour explorer un tel phénomène. Des données documentaires sur les politiques de l'université australienne retenue destinées à lui permettre de se conformer aux exigences de la loi fédérale en matière d'AÉE ont été comparées avec les narrations d'employés recueillies par entrevue tant auprès de femmes menant des carrières universitaires que de membres de la direction impliqués dans le développement de la politique. Une contribution importante de cette étude est d'avoir permis à des femmes de carrières de s'exprimer dans le contexte où la loi australienne en matière d'AÉE permet aux organisations de renoncer à faire rapport sur la façon dont elles s'acquittent de leurs obligations. Cette étude de cas a fait ressortir les préoccupations des femmes qui se trouvent dans une carrière universitaire quant à l'efficacité des politiques et des pratiques de leur université destinées à soutenir leur trajectoire de carrière, particulièrement à la lumière de la croissance du corporatisme dans cette université, allant jusqu'à se demander si cela n'avait pas un effet négatif sur la carrière. La préoccupation première concerne le critère de promotion que les personnes interviewées percevaient comme le modèle masculin de promotion au mérite, ce qui contrastait avec le critère de neutralité mis de l'avant dans les politiques de promotions. Une autre préoccupation, associée à la première, portait sur la manière dont les tâches professionnelles influent sur les chances d'avancement dans la carrière, en particulier la capacité de faire de la recherche qui semble davantage appréciée par les comités de promotions que les activités d'enseignement. De tels exemples illustrent le fait que même si l'université semble se conformer à la loi à première vue, les expériences vécues par des professeures dans cette organisation mènent à se demander s'il ne s'agit pas là d'une conformité de surface.

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Commitment or Even Compliance? An Australian University's Approach to Equal Employment Opportunity

Andrea North-Samardzic and Sarah Gregson

Women have always been under-represented in the professoriate, despite purported regulation of Australian universities under both state and federal sex discrimination and equal opportunity regulatory frameworks. Research from Australia and around the world has highlighted longstanding problems for the career trajectories of women in academia, such as ingrained sex segregation both within and across disciplines, and the masculine culture of universities evident in the undervaluing of teaching activities for the purposes of promotion, an area where women have historically dominated. This paper discusses the relationship between such issues and the policies designed to address them, in order to illustrate how and why these regulatory frameworks are not achieving their aims.

KEYWORDS: gender, equity law, academic career trajectories, regulation, Australia

Introduction

It is by no means news that women in Australian universities are under-represented at senior academic levels. This ongoing phenomenon has been referred to as a “leaking pipeline” (White, 2004) to illustrate the funnelling process that characterizes women’s career trajectories in academia. This state of affairs has persisted despite Equal Employment Opportunity legislation and an associated regulatory framework ostensibly designed to consistently support and increase the advancement of women.

Although the legislation and reporting requirements may have spurred organizations into some action (Strachan, Burgess and Henderson, 2007), the status of EEO in Australian organizations has not been raised by this flurry of activity. With regard to the current regulatory framework, Thornton (2001: 92) states, “the reporting requirements have also been weakened, even though minimal under the Affirmative Action Act, to conform with the preferred path of self-regulation.” While there is a paucity of publicly available information on the

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nature and efficacy of EEO in Australian organizations, this article is not designed to specifically critique the efficacy of the legislation but serves to highlight possible differences between organizational rhetoric and experiential reality of EEO under the current regulatory framework.

Australia's tertiary education sector has undergone significant reforms in the past several decades. Such changes have been characterized as "corporatized" (Bacchi, 2001), "managerialist" (Pick, 2004), and "more modernist than post-modernist" (Blackmore, 1997), alongside numerous scholars (Blackmore, 2002; Blackmore and Sachs, 2007; Noble and Mears, 1995; White, 2001) who argue that business priorities have effectively deprioritized EEO in Australian universities. Thus, this case study of the "University of Macarthur" contributes to a deeper understanding of how a more business-focused model of university governance has affected gender equity initiatives.

Women and Academic Careers

The neo-liberal agenda of the late 1990s and early 2000s, when the right-leaning conservative Coalition came to power and reduced government funding for universities, encouraged increased competition and privatization (Pick, 2004, 2006, 2008; Thornton, 2008; Blackmore, 2002). Universities were explicitly urged to become self-reliant, efficient "businesses," competing with each other in the lucrative "free market" exportation of higher education by increasing fees to students and encouraging more international enrolments. Australian universities responded by enhancing their reputations through research rather than teaching (Ramsden, 1999) and increasing insecure forms of employment and casualization where women more commonly languished (Junor, 2004; Kimber, 2003).

In this environment, EEO offices were "mainstreamed" and absorbed into human resource departments. Reporting on EEO diminished, and profitability and research performance became the central focus (Blackmore, 2002; Blackmore and Sachs, 2007; Noble and Mears, 2000; White, 2001). Mainstreaming has often resulted in the devolution of EEO responsibilities to faculties, schools and departments, which has resulted in a decrease in sex-based harassment training, the loss of grievance management systems and overall budgetary cuts (Thornton, 2008). This is comparable with other industries where HR policies were similarly devolved to line managers (McGovern *et al.*, 2007). Equity initiatives were often sidelined by middle managers' limited opportunities for change management, decreased collegiality and increased workloads (Blackmore and Sachs, 2000). As Bacchi (2001) argued, equity became the responsibility of everyone and therefore no-one.

This seemingly apathetic attitude towards gender equity is commonly represented as the prevailing masculine culture of universities creating "boys' clubs" (White, 2003) that ignore and exclude women from networks of power

(Quinlan, 1999; White, 2004), which are instrumental to women's career advancement (Dever *et al.*, 2008). Indeed, Australian women academics are often regarded as "light-weight" researchers with "different and inferior qualities" (Ward, 2000; White, 2004), attitudes that can lead to unequal treatment (White, 2001). The creation of policies to support women to achieve gendered standards of merit is insufficient to successfully confront unequal treatment (Spearitt, 1999; White, 2001). Numerous studies suggest that women often "choose" instead to exit higher education institutions, because of their inability to challenge gendered structures that limit their potential (Spearitt, 1999; White, 2001, 2003, 2004).

Many studies suggest that women academics in Australia are more often assigned more teaching than their male colleagues who are permitted time to focus upon the more highly valued priorities of research and knowledge creation (Asmar, 1999; Burton, 1997; Dever *et al.*, 2008). Women are also more commonly located at newer universities that have traditionally poorer research cultures and a greater emphasis on teaching (Blackmore, 2002). In addition, research-intensive science-related disciplines are deemed more valuable than areas where women historically dominate, such as nursing, education, humanities and the social sciences (Asmar, 1999; Blackmore, 2002). In addition, Burton (1997) and Carrington and Pratt (2003) have argued that the emphasis on research over teaching promotes a biased model of merit.

The incompatibility of an academic career and caregiver responsibilities is a dominant theme in the scholarship of women in Australian academia (Probert, 1999; Ward and Wolf-Wendel, 2004; White, 2004). White (2001) argues that women in the professoriate at newer universities in Australia were more likely to be promoted at an earlier age and have greater research output if they did not have children. However, beyond this explanation, there is disagreement in the literature about the extent to which there are "gendered" explanations for the dearth of women in the Australian professoriate (Strachan *et al.*, 2008). For example, Probert (2005) has argued that the "glass ceiling" is not prevalent in Australian academia and that women are "choosing" not to progress in their careers; indeed, Probert has uniquely argued that women are not assigned disproportionate amounts of teaching. Ward (2000: 4) has similarly argued that women in the professoriate are not interested in further career advancement as they are less likely to apply for promotion despite a high success rate among women applicants (Blackmore, 2002). In contrast, Winchester *et al.* (2006) have argued that application and success rates for women are similar to those of men and, at a professorial level, slightly higher; these positions are further contradicted by Vu and Doughney (2007), who found systemic bias in appointment and promotion. Despite contrasting views about whether gender discrimination in hiring and promotion processes is overt or covert, all authors recognize that barriers and inequity do exist.

These barriers to women's career progression extend beyond the Australian context. The influence of informal social networks on the career trajectories of female academics has been explored in Sweden (Elg and Jonnergard, 2003), the United Kingdom (Bagilhole and Goode, 2001; Forster, 2001; Rothstein and Davey, 1995), Spain (Vázquez-Cupeiro and Elston, 2006) and the United States (Bailyn, 2003; Ginther and Kahn, 2004; McBrier, 2003; Park and Gordon, 1996) amongst others, demonstrating that male homosocial networks that exclude women negatively impact upon women in the promotion process. One of the reasons was the informal evaluation of "collegiality" as a criterion for promotion. As women do not fit the traditional mould, they need to rely on these contacts to affirm their appropriateness for the position (McBrier, 2003) and the lack of female role models may act as an inhibitor to career progression (Forster, 2001). Bailyn (2003) demonstrated how gender stereotypes inhibit career progression for women in science, where women are penalized if they do not conform to the masculine stereotype, yet are also treated negatively if they try to adapt to it. This situation reflects the inherently gendered nature of academia on a global level (Benschop and Brouns, 2003; Ismail, Rasdi and Wahat, 2005) whereby women have to "comply" with masculine standards by recognizing and upholding traditional values, norms and stereotypes (Elg and Jonnergard, 2003; Forster, 2001), as well as being judged according to more rigorous performance criteria (Park, 2007; Rothausen-Vange, Marler and Wright, 2005). As Bagilhole and Goode (2001) put it, individual merit in promotion is a "myth," particularly given the relationship between social networks and career progression.

The literature also describes the extent of discriminatory practices overseas, such as women academics having a less developed research profile (Doherty and Manfredi, 2006), less geographic mobility (McBrier, 2003) and less developed self-promotional skills than their male colleagues (Ismail, Rasdi and Wahat, 2005). However, these themes are also linked to the primary-career responsibilities of women. Similar to White's (2001, 2003, 2004) findings in Australia, Rothausen-Vange, Marler and Wright (2005) demonstrated that women in more research-oriented departments were less likely to be married, partnered or to have had children during their associate professor tenure, resulting in more publications. Indeed, Dolton and Makepeace (1993) and Court *et al.* (1995) pointed to the opportunity to combine employment and family responsibilities as the main reason why teaching has become a feminized profession worldwide.

Legislative Context

After the Liberal/National coalition government came to power in Australia in 1996, it made a decision to review all Commonwealth legislation to determine whether it restricted competition and what net costs it imposed on Australian

businesses. Thornton (2001: 90) described this as a “swing to the right of the political spectrum [where] the emergence of the new corporatism has led to a resiling from a notion of common good in favour of privatization, deregulation and profit-making.” An Independent Committee was formed in 1997/98 to review the *Affirmative Action (Equal Employment Opportunity for Women) Act 1986 (Commonwealth)* and its associated regulations and to make recommendations for new regulation.

The *Equal Opportunity for Women in the Workplace Act 1999 (Commonwealth)* became effective from 1 January 2000. Similarly, a new agency was set up to replace the Affirmative Action Agency. It was called the Equal Opportunity for Women in the Workplace Agency (EOWA) and, reflecting the ideology of the new government, less prescriptive reporting requirements that could even be waived if some fairly broad criteria could be met. The Act stipulated a list of seven Employment Matters that must be addressed in workplace programs but, notably, the employee consultation required in the development of programs that was present in the previous legislation was removed. The seven Employment Matters are:

1. The recruitment procedure, and selection criteria;
2. The promotion, transfer and termination of employment;
3. Training and development;
4. Work organization;
5. Conditions of service;
6. Arrangements for dealing with sex-based harassment;
7. Arrangements for dealing with pregnancy, or potentially pregnant employees and employees who are breastfeeding their children.

In Australian universities, these matters are addressed through Enterprise Agreements that are unique to each individual institution. It is important to note that Enterprise Agreements cover all employees at the university, both academic and non-academic staff, irrespective of whether an employee is a member of the union that negotiated the agreement.

With regard to gender equity clauses, the Act states that in order to be considered legally compliant, organizations need only take actions on the matters that they consider “priorities.” These priorities are identified through the University's own workplace analysis. The reason for this change was to allow organizations to focus on matters particularly relevant to each workplace. The Agency further “encourages brief reporting in describing the actions organizations have taken in implementing their workplace program” (EOWA, 2010). Reporting under the current legislation is increasingly focussed on organization's workplace programs that contribute to their business outcomes.

Under the previous *Affirmative Action Act 1986 (Commonwealth)*, an organization was eligible to waive reporting requirements if they had complied with the Act for three consecutive years. This was carried over into the current legislation, but the criteria were broadened. The current legislation states that an organization is eligible to waive its reporting requirements if it can demonstrate that it has taken all “reasonably practicable” measures to address the issues relating to the employment matters that affect equal opportunity for women in their workplace; and if the organization has complied with the requirements of the Act for no less than three consecutive years (EOWA, 2010). As of the 2008 reporting period, organizations that have not applied for waivers are only required to report biennially. This will lead to a further reduction in publicly available information on organizational EEO practices.

An initiative under the current regulatory framework was the introduction of the Employer of Choice for Women (henceforth named Employer of Choice) citation. The Employer of Choice citation was designed to showcase innovation and best practice in gender equity. To be granted a citation, organizations must be compliant with all seven Employment Matters but must also meet additional criteria such as provision of an inclusive workplace culture. Previously, organizations were required to meet the minimum permissible pay equity gap and representation of women at Manager-level, however this condition was removed in 2010. In addition, as the submissions to the EOWA for the Employer of Choice citation are confidential, if an organization has also waived reporting, there is almost no public evidence to demonstrate that an organization is effectively implementing EEO. As Sheridan points out (1995: 34), “it is time that women’s own perceptions of their employment opportunities are considered in any discussion of the effectiveness of the legislation aimed at improving employment opportunities for women.”

Methodology

Due to the streamlined reporting mechanism, evidence of workplace policies and programs created to address gender equity is not extensive, particularly that which involves employee feedback. As such, a case study methodology was chosen to examine the extent to which the regulatory framework encourages not just legislative compliance but organizational commitment to the principles of EEO at the workplace level. This made case study methodology the most appropriate, given that the study seeks to understand a contemporary phenomenon within its real-life context (Yin, 2003).

The “University of Macarthur” organization was chosen as a case organization as it had repeatedly been a recipient of the Employer of Choice for Women Award, awarded by Australia’s Equal Opportunity for Women in the Workplace Agency,

since the citation scheme commenced in 2001. The University has consistently applied for, and been granted, a waiver from its reporting requirements but, nevertheless, the citation indicates that it is considered to have successfully addressed the relevant seven Employment Matters as stipulated by the legislation. This suggests that this university is an "exceptional" or "atypical" case (Stake, 1995) as opposed to a "typical" case organization. However it must be noted that twenty universities in Australia received this citation in 2010, twenty-two in 2009 and twenty-three in 2008; therefore, the findings from this case can be extended to other universities in Australia who have received the same citation. It also fits the criteria of an instrumental case study (Stake, 1995) as it was chosen to contribute to a better understanding of the extent to which "best practice" organizations live up to this title for the advancement of women.

To improve the validity of the data collected, the triangulation methods as described by Miles and Huberman (1984) were used to construct the case study from a variety of information: the University's Enterprise Agreement, annual reports, press releases, semi-structured interviews, corporate websites and archival records. All of these sources were weighted equally. Using documents as a source of evidence was extremely important, as the aim is to compare espoused company policy with the experiences of those in the organization.

The first stage of data collection involved the accumulation of documentary evidence and this commenced in 2007. No publicly available reports to the EOWA are available for the University, however like all public universities in Australia, its policies are published on its website; therefore all documents relating to employment conditions, and the website content itself, formed part of the evidence for the case study. Unlike other sectors, EEO is embedded in the University's Enterprise Agreement for 2006–2009. The University's Annual Reports and press releases are similarly freely available (however Annual Reports could only be obtained for 2003, 2005, 2007 and 2008). Other evidence consisted of relevant newspaper articles, a mini-case study developed by the EOWA to promote the Business Achievement Award and an article on the University by two members of its academic staff.

The second stage of data collection commenced and concluded in 2008 and consisted of in-depth interviews with women academics across the university, as well as those in positions of relevant policy development. The University publishes a public directory on its website, giving contact details for all employees. All women professors, associate professors and heads of department were emailed directly to ensure anonymity, outlining the nature of the research project and requesting their consent for an interview. Six consented to participate in an interview and provide their perceptions of EEO at the University. Employees involved in policy development were also identified from the public directory

and were contacted directly. These personnel included those in Human Resource Management and members of the University's EEO Committee. In total eleven interviews with employees of the University whose tenure varied from twelve months to fifteen years, thus providing a broad base of experiential data from which this case is enriched. This interview process produced a continual confirmation of observations which is compatible with the generally accepted criteria for the size of a qualitative sample (Eisenhardt, 1989; Lincoln and Guba, 1985). Table 1 provides a brief description of the interviewees:

TABLE 1
List of Interviewees and Job Description

1	Female	Human Resources, Policy role
2	Female	Human Resources, Policy role
3	Female	Human Resources, Policy role
4	Male	Professor, Policy role
5	Male	Human Resources, Policy role
6	Female	Associate Professor, Humanities
7	Female	Associate Professor Science
8	Female	Professor, Humanities
9	Female	Professor, Policy role
10	Female	Professor, Humanities
11	Female	Professor, Science

It would have been beneficial to interview men to gain their perceptions of EEO and career advancement to provide a more holistic picture of the organization, however as women are predominantly the targets of EEO initiatives in Australia (even though men are included in practices such as flexible work) a decision was made to limit the interview pool to only women at more senior levels and also men in policy-making roles. Further to this, women at lower levels of the organization were not interviewed however this was because the aim of the study was to examine the efficacy of EEO by allowing women at more senior levels to reflect on how the organization had supported their advancement to their current position. Such a question would also lend itself to longitudinal studies.

In line with the case study method, open-ended questions (Yin, 2003) allowed interviewees to provide their perceptions of events and opinions on the outcomes. This approach was designed to generate a "thick description" (Denzin, 1989) of the interviewees' experiences at work. Interviews were approximately one hour and were organized into three stages: the interviewees' career history, their experiences in the University and their knowledge of and experiences with the relevant EEO policies and practices.

The data were collected and analyzed concurrently and iteratively in order to speed up the analyses and allow the advantage of flexible data collection by revealing helpful adjustments (Eisenhardt, 1989). The documentary evidence and interview transcripts were uploaded into Nvivo software for computer-aided qualitative data analysis, using open coding by sentence or paragraph (Richards, 1999). Open coding is a process of breaking down, examining, comparing, conceptualizing, and categorizing data (Strauss and Corbin, 1990). As the aim of the study is to compare the experiences of women at the University against the espoused approach to the EEO regulatory framework, the legislation's Employment Matters were used as categories. The properties of these categories were identified as either organizational policies or individual experiential accounts. Within these categories, the data were coded thematically and inductively to ensure that findings were not imposed on the data. This process ensured that meaningful distinctions were made between the content of the data (MacNealy, 1999), particularly the difference between espoused company policies and the experiences of the interviewees.

Case Study

Data from the Department of Education, Employment and Workplace Relations in Table 2 illustrates that there has been a steady increase in the number of women at all academic levels at the University of Macarthur since the inception of the legislation. Indeed, the University has consistently performed above the state average.

However, as stated earlier, the Department does not collect data on the most senior levels. This valuable information can be obtained from the University's Annual Reports; Table 3 presents statistics for several years in the past decade and illustrates that the number of women at Associate and full Professor-levels has increased in the years under study, except between 2007 and 2008 at the Professor level.

The interviewees noted that restructuring saw several senior women leave the University. Interviewees 4 (male Professor, policy role) and 8 (female professor, Humanities) stated that this lessened the available internal career paths for women, while Interviewee 5 was concerned that this would affect women's application rates for promotion. The recent changes were described by two individuals in policy roles as a move towards a "performance culture" (Interviewees 5 and 9). However, academics not in policy roles (Interviewees 1, 2, 6, 7, 10) used the terms "corporatization" and "managerialization." It was common for interviewees from the Human Resources departments and academics in decision-making roles to make reference to a shift they felt was evident in the provision of "performance indicators" and the use of a "matrix" to measure performance. When asked

TABLE 2

**Representation of Women across Academic Levels in Australia (AUS)
and University of Macarthur (MAC)**

		Above Senior Lecturer	Senior Lecturer (Level C)	Lecturer (Level B)	Below Lecturer (Level A)
2010	AUS	26.67%	41.33%	51.51%	55.20%
	MAC	29.87%	34.84%	51.64%	57.07%
2009	AUS	25.89%	40.13%	50.88%	53.39%
	MAC	30.85%	34.09%	52.67%	54.64%
2008	AUS	22.47%	39.07%	50.19%	54.95%
	MAC	27.05%	38.64%	54.58%	54.74%
2007	AUS	23.72%	37.98%	49.28%	54.44%
	MAC	27.34%	40.89%	52.49%	55.67%
2006	AUS	22.90%	36.61%	48.75%	53.82%
	MAC	27.60%	40.72%	53.03%	56.48%
2005	AUS	21.48%	35.39%	47.88%	53.64%
	MAC	27.48%	40.00%	50.38%	63.16%
2004	AUS	20.28%	34.66%	47.12%	53.75%
	MAC	25.76%	38.07%	47.79%	61.68%
2003	AUS	19.06%	33.65%	46.38%	53.23%
	MAC	24.00%	36.46%	47.86%	66.67%
2002	AUS	18.10%	32.34%	45.80%	53.92%
	MAC	25.75%	33.50%	50.23%	57.41%
2001	AUS	17.20%	30.54%	45.58%	54.12%
	MAC	25.95%	31.25%	50.46%	56.43%
2000	AUS	16.09%	29.42%	44.14%	53.02%
	MAC	23.38%	29.71%	48.58%	48.51%

TABLE 3

Representation of Women across Academic Levels

	2003	2005	2007	2008
Level E / Professor	17%	19%	23%	19%
Level D / Associate Professor	33%	35%	31%	34%
Level C / Senior Lecturer	37%	40%	41%	39%
Level B / Lecturer	48%	50%	52%	55%
Level A / Tutor / Senior Tutor / Associate Lecturer	62%	63%	56%	55%
Total Academic Staff	738	859	947	954
Total % Women	42%	45%	43%	43%

about what was being measured, all interviewees stated that performance in research was emphasized, drawing attention to the introduction of new research centres. As Interviewee 10 (female Professor, Humanities) argued, there was a "huge emphasis" on "doing research, getting research funding and being a high-profile researcher."

Part of these changes included the move to a "policy-based" model (Interviewees 2 and 5 from policy roles), whereby sections of the Enterprise Agreement were rewritten as Human Resources policy. As such, new Enterprise Agreements would contain less detailed enforceable clauses and would permit management-driven policy change that could be quickly rewritten by Human Resources, rather than renegotiated with the union. This change in approach resulted in the University being deemed ineligible to apply for the Employer of Choice citation in 2007. The shift to the policy model did not occur immediately and, according to Interviewee 2, the University did not have all the relevant policies in place by the deadline for application. Interviewee 2 stated that this would be remedied by the 2008 deadline and that the University would reapply to be an Employer of Choice; however, this has still not happened.

These organization-wide changes also affected the role of the EEO Manager. Previously this role allowed unrestricted access to observe recruitment, promotion and Enterprise Agreement negotiations. However, in 2007 the role was absorbed into the Human Resources department. Interviewee 5 (male, Human Resources) presented several reasons for this change. First, the Vice-Chancellor wanted to reduce the number of people directly reporting to him. Second, an individual from Human Resources wanted to manage the "employment brand" of the University as an organization that was "fair and just to women," something quite different from ensuring equity outcomes. Third, once "deeper, systemic issues" of EEO were addressed, EEO was deemed largely a matter of "training, almost like an organizational development function" which was the responsibility of the Human Resources department. Interviewee 5 (male, Human Resources) also acknowledged that the former EEO Manager was against this change. According to the EEO Manager, the move to the Human Resources department meant she had to "work a bit harder to keep tabs on what's going on and grab hold of people before they sign off" on policy change. As she saw it, this "might weaken the equity input a bit" as "the IR people in HR did not have EEO training."

After the change in the criteria for the Employer of Choice citation in 2007, which required the organization's EEO committee to be chaired by someone reporting directly to the most senior person in the organization, the committee was disbanded and reformed with the DVC Provost as head of the committee. Significantly, the head of the committee was no longer the most senior individual in the university. In 2007, the EEO Office was renamed the Equity and Diversity Unit

and the role of EEO Manager was renamed as the Equity and Diversity Manager. Similarly, the University's EEO Committee was renamed the Equity and Diversity Advisory Committee, suggesting a decrease in power from a decision-making role to acting in an advisory capacity. The University has not formally reported to the EOWA since the current legislation came into effect, having been granted a waiver until 2011. Although this could lead to a relaxation of EEO efforts, as the University reports to the State Anti-Discrimination Tribunal, data collection on sex segregation and reporting on equity policies continued. The EEO Manager argued that these data were invaluable to the EEO agenda at the University, as "without the data, you can't persuade people, because they don't think or want to think they are discriminating." By contrast, an interviewee from HR stated "filling out reports for other people and collecting data on stuff is of no use to us."

Information about the University's promotions policies is largely contained in the Enterprise Agreement. Academic promotion for Lecturers, Senior Lecturers and Associate Professors is based on annual calls for application, with a call for application to the full Professoriate every two years. The Enterprise Agreement states that "Promotion will be on the basis of merit," with the supplementary promotions policy outlining the criteria for each level. The associated HR policy also contains an "equity and diversity" section stating that "The University will adhere to its principles of equality of opportunity, fairness and social inclusion." It also references the EEO Policy which has yet to be published online.

The Enterprise Agreement stated that the University:

...embraces the three elements of academic endeavour – research, learning and teaching, and community engagement. The three academic elements are mutually supporting; each contributing to the development of the others in ways that are jointly productive and beneficial. Each activity is valued.

In spite of this, each interviewee disagreed that all three elements were treated equally by promotions committees, arguing that research was always elevated over teaching. Interviewees 1, 7 and 11 (from both Humanities and Sciences) characterized this as particularly problematic for women, as part-time teaching contracts were the most effective means to financially support their families whilst beginning their academic career, even though research activity was intrinsically more valuable to career advancement. Despite this, the emphasis on teaching continued when women became full-time academic faculty. Interviewees 6 and 11 (Humanities and Science respectively) argued that in their disciplines women tended to have greater teaching responsibilities, making it very difficult to undertake field research, especially if women were also in a primary carer role. Teaching evening classes was also described as difficult, contributing to an explanation for why women at the University may be more inclined to undertake administrative roles

which often follow a traditional nine-to-five model or can be performed from home. Interviewee 5, the male interviewee from Human Resources, agreed that if a woman academic had a partner working full-time or was without a partner to assist with caring, she would be in an inherently disadvantaged position. By contrast, Interviewees 7 (Science) and 8 (Humanities) did not perceive gender differences in teaching activity. Interviewee 7 attributed this to the lack of women in her discipline overall, as she also experienced difficulty recruiting women at the lowest levels. Interviewee 8 stated that in her role she ensures that all the academics who report to her do their "fair share" of teaching.

Disciplinary location was also believed to impact directly on promotion success. Interviewees 1 and 2, both in policy roles, raised concerns about discipline profiles and acknowledged that it was often difficult to convince a multi-disciplinary promotions committee that certain female-dominated research areas were valid. Interviewees 1 and 2 (female, EEO roles) believed that, despite policies to ensure equitable processes, "feminine" research topics are often disadvantaged and regarded as "light-weight." Interviewees 4 and 8 (a female and male Professor respectively) similarly felt it was an inherent gender bias of male-dominated promotions committees employing like-minded men. While Interviewee 7 (female Professor, Science) stated that she had "never experienced discrimination," Interviewee 11 (female Professor, Science) felt that she had been "indirectly discriminated against" through increased teaching responsibilities and a lack of respect for her carer responsibilities. She also gave the example of a male colleague in a similar position who had fewer responsibilities and a smaller budget at a less profitable research centre, but received a greater salary.

As a corollary, all interviewees agreed that women were less likely to apply for promotion and must feel over-qualified before applying. They felt that this was because women were "more cautious" (Interviewee 9, female Professor policy role), "more careful" (Interviewee 7, female Professor Science) and less likely to "take a risk" and "self-promote" (Interviewees 2 and 5 male and female from Human Resources). This was in contrast to their male colleagues, who Interviewee 5 described as "predisposed to self-promote." When asked about this inherent "risk," Interviewee 5 identified the "emotional risk" of "having your peers knowing that you are unsuccessful." However it is worthwhile noting that this assessment was made by a male interviewee from Human Resources and not a female academic. However Interviewee 6, a female academic in the Humanities faculty, stated "I don't have enough ego to think I can just cope with getting knocked back, so I'd just rather wait until it is almost a certainty. I think that male egos always are much more robust really." Interviewee 5 believed this could be resolved through training, stating "we don't train our women in terms of how they attribute success either, and how they report success and

how they present themselves for promotion.” However, Interviewee 5 also highlighted the common perception “that it needs a bloke to do this.” This was supported by the EEO Manager, who acknowledged that when the EEO observer was not present during promotion committee meetings for one year there was a decrease in the number of women promoted. She also felt that focusing on such gender differences obscured discriminatory practices; for example, there is a belief amongst some male academics that women are unable to meet performance standards and that increasing the application rate of women would negatively impact on research quality. All interviewees argued that as a result women were unlikely to apply for a promotion unless they exceeded all of the criteria. Interviewee 10 (female Professor, Humanities) spoke of a woman in her department who “was not at all eager,” even “reluctant,” to apply for a promotion as her curriculum vitae “wasn’t yet good enough or big enough or remarkable enough to create a promotion application” even though “it was at least five years overdue.” Interviewees 7 and 9 (from Science and Humanities respectively) provided similar personal reflections.

Interviewees also argued that gender roles were reflected in patterns of flexible work, with male academics less likely to access flexible work arrangements. Only Interviewee 7 gave the example of a male colleague on a flexible work arrangement. Such arrangements were also deemed less suitable for those in senior positions. The EEO Manager believed that one of the reasons why women were not applying for promotion was the lack of senior roles that could be performed flexibly or part-time. Interviewee 11 (female Professor, Science) noted that male academics are still less likely to be in the primary carer role, ostensibly having “two people working on their career” and giving them time to cultivate contacts, referees and informal social networks. But this perception was not uniform for all interviewees; for Interviewee 8, the flexible work hours made the interface between work and caring duties far less problematic. Indeed, she said, “academia is perfect for mothers.” Although academia may be considered a more suitable career for women with carer duties than other occupations, for the majority of the employees, there were still significant challenges involved in managing carer responsibilities and an upward career trajectory.

Discussion

It is clear that the University has attempted to address gender equity, even embedding supportive statements in the Enterprise Agreement. However, the changes within the University, characterized as “a push towards a performance culture,” “corporatization” or “managerialization” support existing scholarship that points to a move away from a legal compliance to a business-case model for gender equity (Blackmore, 2002; Blackmore and Sachs, 2007; Noble and Mears,

2000; White, 2001). What is particularly interesting though is that the interviewees in policy roles used the term "performance culture" whereas the interviewees in academic positions used the aforementioned less complimentary terms, suggesting that such changes were not received positively by academic staff. This attitude also extended to the EEO Manager who stated that she fought against her role being absorbed into HR. This is a significant issue given that an interviewee from HR stated that it was "not important" to gather data on the representation of women at the University indicating that the monitoring of women's career progression is not viewed as a necessary activity.

The two most significant issues for the interviewees were the criteria for promotion and work organization supporting existing research. All interviewees perceived that the "masculine model of merit" (Burton, 1997; Carrington and Pratt, 2003) exemplified in the elevation of research over teaching activity was upheld despite policy explicitly stating that the two spheres would be regarded equally in the promotions process. Indeed, a systemic bias against female researchers was perceived by the interviewees, both male and female, both academic and those in policy-roles. This phenomenon has been recognized by several scholars (Vu and Doughney, 2007; Ward, 2000; White, 2004). Only Interviewee 5, a male from Human Resources, felt that increasing the number of women in senior positions could be achieved by training women.

The extent to which women "choose" not to engage in teaching activity is also a vexed question. Teaching and administrative work were not necessarily preferred but, for many women, this work was a means of managing work and private lives. This supports research which suggests such women academics' "choices" are constrained and that academic research careers and care giver responsibilities frequently clash (Probert, 1999; Ward and Wolf-Wendel, 2004; White, 2004). Dolton and Makepeace (1993) and Court *et al.* (1995) suggest this incompatibility explains why there are so many women teachers in schools where research activity is not required. Even though one interviewee stated that academia is an ideal career for women with carer responsibilities, several pointed to the difficulty conducting field research where geographic mobility was required (McBrier, 2003), which was perceived as limiting their career opportunities.

Interviewees also emphasized the importance of role models (Hopkins, 2004) with one interviewee even questioning whether the departure of women at the most senior levels would impact on promotion applications. Like Quinlan (1999) and White (2004) have argued, such role models were also considered important for accessing networks of power that were critical to the promotions process. Therefore it appears that the deprioritization of EEO at the University had an impact on the women's perceived opportunities for career advancement, particularly as the underlying gendered nature of the academic career model remained unchallenged.

Conclusion

Historically, EEO legislation has not supported accurate reporting of an organization's practices. The significance of the findings reported here lies in recognizing how a streamlined reporting mechanism has afforded an organization a mask of both legislative compliance and commitment where a distinction between rhetoric and reality is not made. On closer examination, there are definite gaps and even contradictions between the practices extolled in a legally enforceable Enterprise Agreement and the experiences of women at the University. As this case illustrates, a "best practice" organization can still exhibit strong signs of female disadvantage in promotion.

We should always treat with caution the generalizability of results from a single case study. Although numerous organizations have been awarded for achieving the same milestone in gender equity, extending the findings to other "best practice" organizations or even other universities should be done with care. While all universities operate under the same regulatory frameworks, they have different structures, different academic disciplines and different Enterprise Agreements. Nevertheless, the common contextual pressures and managerialist responses suggest the trends identified here are common across the sector.

It would have been beneficial to interview men to gain their perceptions of EEO and career advancement to provide a more holistic picture of the organization. However, as women are predominantly the targets of EEO initiatives in Australia (even though men are included in practices such as flexible work), a decision was made to limit the interview pool to only women at more senior levels and also men in policy-making roles. Further to this, women at lower levels of the organization were not interviewed. This was because the aim of the study was to examine the efficacy of EEO by allowing women at more senior levels to reflect on how the organization had supported their advancement to their current position. Such a question would also lend itself to longitudinal studies.

This is but one area for further research. While the aim of this study was to investigate how female academics perceived the efficacy of the University's EEO policies, the disadvantaged status of female non-academic staff requires much needed attention. Admittedly there is a dearth of research in this area, with female non-academic staff described as the "forgotten workforce." Probert's (1999) study on gender pay equity in Australian universities is one of few that included non-academic staff in the sample and illustrated that inequity for women cuts across both academic and non-academic groups. As such, whether EEO differs for these two groups is a key question.

The present study has focused largely on ineffective practices and the limitations of the regulatory framework. It is also equally important to address what

practices are most effective at increasing the advancement of women. This has been addressed in the U.S. context by Kalev, Dobbin and Kelly (2006) but, as Australia's labour force and legal environments are significantly different, it can be argued that what is most effective in the U.S. context would not be the same as in Australia. Indeed, this is a global issue that should be addressed by as many countries as possible.

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SUMMARY

Commitment or Even Compliance? An Australian University's Approach to Equal Employment Opportunity

This paper presents empirical evidence to illustrate how one Australian university complies with the nation's federal Equal Employment Opportunity (EEO) regulatory framework. The aim of this paper is to provide insight into the extent to which organizational practices deviate from articulated policy and how this gap impacts on the perceived career trajectories of female academics. While the disadvantaged status of female academics has been recognized worldwide, a deeper examination of how employees experience the policies and practices designed to support their advancement is required, especially in light of the increasing corporate-like activities of Australian universities which have deprioritized EEO.

A case study of an Australian university is used to explore these phenomena. Documentary evidence of its EEO policies was compared with interviewee narratives

of employees, including both female academics and members of general staff involved in policy development. This allowed female employees to be heard, in particular where they sensed contradictions between espoused company policy and their real experiences. Hearing what they have to say is an important contribution, given that Australia's EEO regulatory framework allows organizations to waive reporting on their gender equity "achievements."

This case study highlights employee concerns about the efficacy of the University's policies and practices designed to support women's career trajectories and demonstrates that, particularly in light of the increasing corporatization of the University, some women questioned whether drawing support from such policies would harm their careers. The most significant concern focused on the criteria for promotion, which interviewees perceived to be based on a masculine model of merit, in contrast to the ostensible gender-neutrality of the promotions policies. A related concern was how carer responsibilities impacted on opportunities for advancement, particularly the ability to engage in research work that was prized more highly than teaching activities by promotions committees. These examples illustrate that, while the University may be upholding the law at face-value, the actual experiences of women in the organization suggest that EEO compliance is merely skin-deep.

KEYWORDS: gender, equity law, academic career trajectories, regulation, Australia

RÉSUMÉ

Engagement réel ou simple conformité juridique? L'approche d'une université australienne en matière d'accès à l'égalité en emploi

Cet article présente de façon empirique la manière dont une université australienne se conforme au cadre fédéral australien en matière d'accès à l'équité en emploi (AÉE). Notre but est d'apporter un éclairage sur l'écart qui peut se creuser entre les exigences de la politique et les pratiques organisationnelles et comment cet écart peut influencer sur la perception des trajectoires de carrières universitaires chez les femmes. Bien que la position désavantagée des femmes dans la carrière universitaire soit un phénomène reconnu mondialement, un examen plus approfondi de la façon dont les personnes en emploi vivent l'application des politiques et des pratiques destinées à soutenir leur avancement professionnel nous semble nécessaire, surtout à la lumière de la hausse des activités de type corporatif des universités australiennes, lesquelles ont mené à rendre l'AÉE moins prioritaire.

Une étude de cas a été menée pour explorer un tel phénomène. Des données documentaires sur les politiques de l'université australienne retenue destinées à lui permettre de se conformer aux exigences de la loi fédérale en matière d'AÉE ont été comparées avec les narrations d'employés recueillies par entrevue tant auprès de femmes menant des carrières universitaires que de membres de la direction

impliqués dans le développement de la politique. Une contribution importante de cette étude est d'avoir permis à des femmes de carrières de s'exprimer dans le contexte où la loi australienne en matière d'AÉE permet aux organisations de renoncer à faire rapport sur la façon dont elles s'acquittent de leurs obligations.

Cette étude de cas a fait ressortir les préoccupations des femmes qui se trouvent dans une carrière universitaire quant à l'efficacité des politiques et des pratiques de leur université destinées à soutenir leur trajectoire de carrière, particulièrement à la lumière de la croissance du corporatisme dans cette université, allant jusqu'à se demander si cela n'avait pas un effet négatif sur la carrière. La préoccupation première concerne le critère de promotion que les personnes interviewées percevaient comme le modèle masculin de promotion au mérite, ce qui contrastait avec le critère de neutralité mis de l'avant dans les politiques de promotions. Une autre préoccupation, associée à la première, portait sur la manière dont les tâches professionnelles influent sur les chances d'avancement dans la carrière, en particulier la capacité de faire de la recherche qui semble davantage appréciée par les comités de promotions que les activités d'enseignement. De tels exemples illustrent le fait que même si l'université semble se conformer à la loi à première vue, les expériences vécues par des professeures dans cette organisation mènent à se demander s'il ne s'agit pas là d'une conformité de surface.

MOTS CLÉS : genre, loi sur l'équité, trajectoires de carrières universitaires, régulation, Australie

RESUMEN

Implicación o conformidad? Enfoque de una Universidad australiana sobre la oportunidad de igualdad en el empleo

Este documento presenta evidencias empíricas que ilustran como una universidad australiana se conforma al marco de regulación federal sobre la Oportunidad a la igualdad en el empleo (OIE). El objetivo de este documento es de esclarecer en qué medida las prácticas organizacionales se desvían de la política articulada y cómo esta brecha impacta las trayectorias percibidas de las mujeres con carrera universitaria. Aunque el estatuto desventajoso de las mujeres del campo universitario ha sido reconocido a nivel mundial, es necesario un análisis profundo de cómo los empleados experimentan las políticas y practicas designadas a apoyar su avance, especialmente frente al incremento de actividades de tipo corporativo en las universidades australianas que han dejado de priorizar el OIE.

Para explorar estos fenómenos, se utiliza un estudio de caso de una universidad australiana. Se compararon evidencias documentarias de sus políticas OIE con las entrevistas narrativas de los empleados incluyendo mujeres del medio académico y miembros del personal involucrados en el desarrollo de la política. Esto permitió a las mujeres empleadas de ser escuchadas, en particular en cuanto a las contradicciones percibidas entre las políticas adoptadas y su experiencia real. El testimonio de ellas

es una contribución importante puesto que el marco de regulación OIE australiano faculta las organizaciones a prescindir de informar sobre sus « logros » respecto a la igualdad de género.

Este estudio de caso hace resaltar las preocupaciones de los empleados sobre la eficacia de las políticas y prácticas propuestas por la Universidad para apoyar las trayectorias de carrera de las mujeres y demuestra que, particularmente frente al incremento de la corporatización de la universidad, algunas mujeres se cuestionan si recurrir al apoyo de esas políticas puede dañar sus carreras. Las preocupaciones más significativas se centran en el criterio de promoción, que la percepción de las personas entrevistadas la identificaron a un modelo masculino de mérito, en contraste a la ostensible neutralidad de género de las políticas de promoción. Una preocupación vinculada a esto último fue cómo las responsabilidades de carrera tienen impactos en las oportunidades de promoción, particularmente la capacidad de implicarse en el trabajo de investigación que fue valorizado más alto que las actividades de enseñanza en los comités de promoción. Estos ejemplos ilustran que, mientras la universidad puede estar sosteniendo la ley en apariencia, las experiencias actuales de las mujeres en la organización sugieren que la conformidad de la OIE es simplemente superficial.

PALABRAS CLAVES: género, ley de igualdad, trayectoria de carrera académica, regulación, Australia