

The Impact of Gender Equity Legislation on Women's Labour Force Participation

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Deborah Mitchell* & Trevor Breusch*

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* Centre for Social Research, RSSH, The Australian National University.

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Chapter overview

The NLC panel includes three cohorts of women who have been subject to major labour market policy shifts affecting:

- their ability to participate in the paid labour force;
- the conditions and remuneration they can expect from this participation; and
- overt and covert forms of segregation that prevented women from accessing employment opportunities in better remunerated professional and technical occupations.

These policy changes can be used to define three policy regime ‘cohorts’ as follows:

- women who entered the labour force prior to equal pay (Commonwealth Legislation, 1972); this cohort was also entering the labour force during the period of the removal of the marriage bars in public sector employment (Commonwealth, 1966 and progressively the states, up to last bar in operation in Qld 1973);
- women who entered the labour force after equal pay legislation was introduced and some of the overt labour market barriers had been dismantled; covering the period between 1973-1984; and
- women who entered the labour force after the implementation of the Sex Discrimination Act, 1984; and later, the introduction affirmative action/equal employment opportunity legislation (Commonwealth Legislation AA/EEO, 1986).

The main aim of the chapter is to establish the impact of each of these policy changes on the labour force histories of each cohort. The chapter starts with a brief overview of aggregate employment outcomes for women over the period 1966-96, in particular, taking into account the changes in educational attainment associated with changed employment patterns. This provides the context for the analysis and discussion of the individual level data collected in the first wave of the NLC Project.

A second aim of the chapter is the exploration of a methodological question – that is, establishing whether or not using ‘policy regimes’ to identify different cohorts is a valid way of thinking about/explaining the labour market histories and outcomes for Australian women.

1. The context: women's labour force participation

It is well-established from time series evidence that the labour force participation of Australian women – especially of married women – increased markedly in the thirty year period preceding the first wave of the NLC data, i.e. 1966-96. As Table 3.1 reports, in this period, employment participation for all women rose by 18 percentage points and for married women the rise was around 26 percentage points. More than one-third of this growth (10 percentage points) occurred in the period between 1966 and 1973, with a second period of rapid growth occurring between 1985 and 1990 (8.5 percentage points).

Table 3.1: Women's labour force participation

Year	Married (%)	All (%)
1966	29.0	36.3
1970	35.2	39.6
1973	39.0	41.4
1975	41.1	43.0
1980	42.6	44.7
1985	44.3	45.7
1990	52.8	51.8
1996	54.9	54.7

Source: ABS Labour Force Surveys, 6203.0

Australian economists often rely on wage changes to explain the growth in women's participation. In particular, the equal pay determination made by the Commonwealth arbitration court as part of the 1972 National Wage Case (NWC). The NWC determination was subject to a phase-in period commencing in 1973 and did not come into full effect until 1975, right at the end of the first period of rapid growth. Nor do wage changes explain the second period of growth in the late 1980s when the gender earnings gap was fairly stable, as shown in Table 3.2.

Table 3.2: Female earnings as a percentage of male earnings (Full-time workers)

Year	Private	Government	All
1972	63.2	83.4	76.4
1977	76.6	88.6	88.3
1982	75.7	87.3	84.5
1987	77.3	87.6	86.0
1992	79.1	89.6	84.5
1996	81.2	89.0	84.4

Source: ABS Labour Force Surveys, 6203.0

The timing of each of the main periods of growth in women's participation suggests that factors other than rising wages were involved in the observed growth. In particular, legislation to remove both overt and covert barriers to women's employment such as the

‘marriage bar’ that effectively excluded married women from most workplaces, especially in the post-war period (Encel et al, 1974; Young, 1989; Deacon, 1989). The latter period of growth followed legislation to open up employment opportunities for women in professions and trades that had been traditionally confined to men and to prevent discrimination against women pre and post child-bearing.

A second factor in these changed participation rates is the significant shift in women’s educational attainment over this period – and in fact, starting among cohorts older than those represented in the NLC sample (Dowrick and Mitchell, 1998; Dowrick, 2003). Summary data on education levels for Australian women is set out in Table 3.3. The educational attainment of different age groups reflects the different educational opportunities available to successive generations of women, with individual choices also being shaped by their future employment expectations while in secondary education.

Table 3.3: Female educational attainment by age cohort, 1996

Age:	15-24	25-34	35-44	45-54	55-64
Early leaver	24.7	36.5	41.0	50.0	59.0
Still at school	24.2	0.1	-	0.1	-
Secondary only	42.6	17.5	12.8	12.2	13.9
Vocational quals.	15.9	20.1	18.2	16.4	12.5
Certificate/ Diploma	7.6	9.9	10.1	9.1	6.8
Degree	9.2	16.0	17.8	12.2	7.5
All post-school quals	32.6	46.0	46.1	37.8	26.9

Source: ABS Labour Statistics 6101.0 (Table 9.1)

The increase in female educational attainment across the generations is remarkable. Only a quarter of women born before 1940 have post-school qualifications, and 60% of that cohort left secondary education early. The cohort born after 1975 has twice the level of post-school qualification attainment, and around one-third left school early.

Table 3.4: Participation rates by educational attainment, 1996

Qualification:	Male	Female	M:F Ratio
Early leaver	82.5	53.9	1.53
Completed secondary	83.6	68.3	1.22
Vocational quals.	91.3	71.7	1.27
Diploma	90.4	76.8	1.18
Bachelor degree	92.8	80.6	1.15
Any post-school qual.	91.7	76.5	1.20

Source: ABS Labour Statistics 6101.0 (Table 2.14)

These changes in women’s educational attainment can be linked to rising participation rates in three ways: first, education increases women’s potential earnings and therefore makes joining the labour force more attractive than domestic work. Second, as educational attainment rises, the participation gap between men and women falls

substantially (Table 3.4). Third, an indirect effect is the association of increased tertiary attainment levels of women with the development of a politically skilled and articulate women's movement in Australia that was able to lobby for a range of changes – such as childcare, equal employment policies – that created an employment environment that could sustain women's participation over the long-term (Mitchell, 1998).

A third factor that changed women's participation rates, especially for women with children, was the introduction of part-time employment provisions that attracted similar benefits to full-time jobs – eg: pro-rata annual and sick leave entitlements, superannuation and standard employment protections. Combined with the growth in publicly funded, or partly subsidised childcare places, these changes make it possible for women to minimise the length of time spent out of the labour force after child-bearing.

This brief overview casts doubt on one 'stylised fact' concerning the entry of women to the labour market – i.e. that it was a direct response to the equal pay determination of 1972. The aggregate ABS data presented above suggests that the growth in participation did not rise in a smooth, or incremental, fashion over the thirty year period that we focus on here. Instead, there are two distinct periods of rapid growth, 1966-72 and 1985-90. At an aggregate level, these periods of rapid growth *appear* to line up with labour market policies that were intended remove formal and informal barriers to women's participation.¹ Using the NLC data – especially the retrospective employment histories for older age groups – it may be possible track, at the individual level, responses by our panel in the critical years of policy change.

As a first step in this analysis, we assign the NLC respondents to three *policy cohorts* that correspond with major legislative, wages and institutional changes that occurred around the time that the women in each cohort were facing their first labour market choice – that is, whether to leave school at the earliest legal opportunity, at 15 years of age.² The demographic, educational attainment and work force histories are then summarised and compared for each cohort. The next section of the analysis then takes each cohort in turn to draw out greater detail in each of these areas. Using the results from these two sections, Section 5 provides some initial conclusions about whether labour market histories were significantly different for each cohort, and in what respect.

A second set of questions arise when considering the cumulative impact of each succeeding 'policy regime' on the three cohorts. In particular, whether the older cohorts were able to take advantage of later policy changes to overcome some of the disadvantages they faced when first entering the labour market in the 1960s and 70s. Thus, Section 6 asks whether we can observe any 'catch up' among these older cohorts. The last part of the chapter (not presented at this workshop) will use multivariate techniques to examine whether there are significant difference between these cohorts, once human capital and demographic characteristics are controlled.

¹ However, the changes in women's educational attainment over roughly the same period might also be an equal or even stronger driving factor behind these changes.

² This assumption is based on Australian legislation, so will not apply to women who were born overseas and completed their education before arriving in Australia.

2. Mapping the NLC respondents to labour market ‘policy cohorts’

We can identify three major institutional and legislative changes directly related to labour market conditions in the period when women of different ages in the NLC sample were entering the labour force:

- the removal of the Commonwealth government’s marriage bar in 1966 and the subsequent lifting of similar bars for State public services. The last State government bar (Queensland) being lifted in 1973.
- Introduction of equal pay for women via the National Wage Case (NWC) of 1972, with a complete phase-in by 1975.
- The introduction of the Sex Discrimination Act (1984) and the Affirmative Action/ Equal Employment Opportunity Act (1986), both designed to deal with overt and covert employment discrimination and occupational gender segregation.

The NLC panel includes just under 1250 women who entered the labour market, over three periods defined by the institutional and legislative changes, as follows:

Cohort 1: The marriage bar cohort

Women who turned 15 years of age by 1972.

N= 496, approximately 40% of sample.

Cohort 2: The equal pay cohort

Women who turned 15 years of age between 1973 and 1984.

N= 478, approximately 38% of sample.

Cohort 3: The affirmative action cohort

Women who turned 15 years of age during/after 1985.

N= 272, approximately 22% of sample.

The ‘marriage bar’ cohort refers to those who were either already at work – or about to enter – the labour force when the Commonwealth Public Service removed its marriage bar in 1966. The bar required women to leave employment upon marriage. All other State public services had a similar bar and these followed the Commonwealth’s lead within a few years, with Queensland being the last to remove its bar in 1973. In the private sector, the extent of the application of the bar operated variably across different industries and occupations. In industries where there were strong male-dominated unions, eg: metal workers – the social pressures for women to leave were almost as strong as if they were legislated. In other white-collar areas (eg: banking) these pressures were not as strong, although pregnancy was usually the exit point (Deacon, 1989). In section 4.1 we examine the pre- and post-marital labour force status of women in this cohort to see whether we can detect any significant changes in the numbers of women who left work after marriage.

The ‘equal pay’ cohort began entering the labour market after the NWC of 1972. As noted earlier, there was a phase-in period of three years that was designed to allow

private sector employers time to adjust to increased labour costs. As the female:male wage relativities shown in Table 3.2 indicate, the private sector was well behind the public sector from the introduction of equal pay – and even a decade after the change, women’s wages on average were still only 75% of those paid to men. Much of the observed gap can be attributed to the more marked gender segregation found in private sector occupations. Other forms of covert discrimination (eg: the ‘glass ceiling’) also held back women in the public sector and white-collar occupations. These forms of discrimination were tackled by legislation that marks the third cohort. In section 4.2 we examine how this change might have impacted on women. The section notes that this change could have had two very different outcomes. On the one hand, the prospect of increased wages in the short-term might have induced some young women to leave school early. On the other, it may have encouraged women to complete their secondary education in order to enter jobs further up the occupational ladder and receive even higher rewards than those on offer in the short-term. Once in the labour market, would higher wages encourage women to remain at work longer?

The ‘affirmative action’ cohort entered the labour market after the Sex Discrimination Act of 1984 was introduced and later followed up by the Affirmative Action/Equal Employment Opportunity legislation of 1986. These changes were designed to diversify women’s employment opportunities both vertically (ability to be promoted to higher status jobs) and horizontally (ability to be employed across a wider range of occupations and industries.) The 1986 legislation was also designed to ensure that the jobs of part-timers would be subject to pro-rated leave entitlements and employment protection for women taking maternity leave. The legislation goes beyond just having ‘a job’ moving towards having ‘a career’. Thus the signals of this legislation were not just aimed at women, but also at employers and the culture of the work place. With these background aims of the legislation, especially about changing workplace practices and cultures, the impacts may be even more diffuse to see than those of the changes affecting Cohorts 1 and 2. Moreover, many other changes were taking place that will be difficult to disentangle in terms of exerting an impact on observed changes for these women eg: greater availability of childcare. It will require work on the later Waves of the NLC data to trace whether there is any observable impact on this cohort.

As indicated above, the cohorts have been defined according to their age at the time of the introduction of change. Using 15 years of age is an obvious choice – it allows us to maximise the information contained in the retrospective labour force panel; but it also is the point at which young women would have had different signals sent to them as they approached early school leaving options. Other ways of determining cohort assignment might include holding a first job at the time of change, or the year that the respondent first left secondary education.

3. Policy cohort characteristics

Part of the underlying thesis being tested here is whether legislative and institutional changes had any impact on women’s behaviour – both in the short and long term. For example, short-term impacts might be measured by: decision to stay at school or go to work once turned minimum school-leaving age; length of time in the labour force before

marriage; duration of first working spell; age at which they exit the labour force for the first time. Medium and longer term impacts would include: labour force exit and re-entry behaviour – how soon do women go back after breaks for children; spells of entry-exit behaviour; changed hours full-time versus part-time; incidence of post secondary education and re-training. Apart from looking for significant differences between the cohorts for various indicators, we should also be hoping for some picture emerging about cumulative change for women's employment outcomes. For example moving from the opportunity to have – and hold – a *job* after marriage; to having a reasonable *income*; to having a *career*. This kind of progression, follows the logic of what the legislative changes were aiming for in each instance.

As a first overview of this question, Table 3.5 sets out some of the key characteristics of each cohort, including summary statistics for those variables likely to have an impact on participation rates – educational attainment; marital/family status; role modelling of mothers. At the time of interview, the average age of a woman in Cohort 1 was 46 years; in Cohort 2, the average was 34 years; and for Cohort 3, the average was 23 years. In a sense, the Cohort 1 women are the 'mothers' of Cohort 3. Table 3.5 is arranged in three panels: demographic/lifecycle characteristics and events; educational attainment; and labour force history. Notable differences between the cohorts in each of these areas are summarised below.

3.1 Demographic/lifecycle characteristics

For women in Cohort 1, most of the major lifecycle events have taken place – marriage, having children, divorce – and the older women in this cohort are now entering the 'empty nest' stage and beginning to exit from the labour market. Some women in Cohort 2 have yet to pass through some of these events, so for example, child-bearing remains a possibility, and by Waves 2 and 3 we may observe a rise in the eventual percentage that have children. This will affect the averages reported in several areas eg: age at first birth; number of children. Women in Cohort 3 have some way to travel in order to make some firm statements about changes in these areas. Those women in Cohort 3 who have already married/divorced/had children may end up being fairly unrepresentative of this Cohort over the long-run. One area in which we can already see a notable change between Cohorts 1 and 2 is the increased length of time between when women first entered the labour market and marriage, this increased by about 1.5 years and is likely to go higher as Cohort 2 ages. Given that 70% of Cohort 3 is yet to marry, we might also expect a very large difference between this cohort and Cohort 1.

Finally, another area of significant difference between these cohorts is the possible effect of working mothers as role models. The Wave 1 survey asked respondents whether their mother worked during their childhood (up to 15 years). Table 3.5 reports the percentage of each cohort who said their mothers never worked during their childhood. For Cohort 1, the majority of respondents (57%) had non-working mothers; for Cohort 2 this had dropped to around 36%; and by Cohort 3, less than 28% had mothers who had not worked at all during their childhood. This is a significant shift in the 'norms' of labour market participation for mothers.

Table 3.5: Characteristics of cohorts

Variable/Indicator	Cohort 1	Cohort 2	Cohort 3
<i>N of observations</i>	496	478	272
1. Demographic/life course characteristics			
Av age in Wave 1	46.1	33.9	23.3
% ever married	92.4	82.6	28.7
% ever divorced	32.0	16.5	3.7
% ever had children	88.9	75.7	29.0
% mothers never worked in Rs childhood	56.6	35.7	27.9
Av age at first marriage (<i>de jure</i>)	22.5	23.6	21.1
Av length of time between lf entry & marriage	5.8	7.2	5.3
Av age at birth of first child	25.2	25.5	20.9
Av N of children – if ever had a child	2.6	2.3	1.8
2. Educational attainment			
Av yrs of education (all forms)	14.8	15.1	14.7
% completed secondary	48.9	60.5	66.2
% currently in secondary	-	-	2.6
% completed tertiary	20.3	22.0	14.7
% completed post-school qualifications	58.4	56.5	47.1
% currently in post-school education	10.0	14.2	34.9
3. Labour market history			
% never in labour force	0.0	0.6	5.2
% currently in the labour force	75.4	68.4	69.5
Av age entered labour force	16.8	16.7	16.3
Av age first FT job	17.8	18.6	18.4
% worked full-time only (when employed)	22.3	18.7	17.4
% worked part-time only (when employed)	0.8	3.6	20.9
% worked mix of f-t and p-t	76.9	77.7	61.6
Median duration of first employment spell	8	10	5
Median age of first exit to NILF (% cohort)	25 (82.5)	24 (70.5)	19.5 (41.9)
Av N of spells of employment	2.2	1.8	1.4
% with a spell NILF \geq 5 years	49.5	25.7	7.0
% with a spell NILF \geq 3 years	63.2	40.6	16.3
% with a spell NILF \geq 1 years	82.5	70.9	44.2

3.2 *Educational attainment*

Completion of secondary education rises across the cohorts, in line with ABS data. Tertiary education completion rates are fairly similar for Cohorts 1 and 2 – 20% and 22%. For Cohort 3, around 15% have completed their tertiary education and 34% were still studying at the time of the Wave 1 interviews. We can reasonably anticipate a marked increase in tertiary attainment by Cohort 3 to be observed in subsequent waves of the data. Together, these observations suggest that the major change between Cohorts 1 and 2 was a rise in *secondary* education completion rates; while the major change between Cohorts 2 and 3 will be a substantial rise in *tertiary* completion rates.

These basic changes in attainment levels between the cohorts are unlikely to be related to the policy regime changes. This is investigated further in Section 6 which compares the attainment levels for men separated into similar cohort groups.

A surprising number of women in Cohorts 1 and 2 have post-school qualifications, or are currently undertaking post-school studies. This may indicate that some ‘catch-up’ education was/is being undertaken by older women. This is one area in which we might be able to make the best case for the impact of gender equity changes. Again, comparing the spell data for men in the same age cohorts may provide some evidence that women were more likely to return to education in order to qualify for some forms of employment – especially the growing number of white-collar jobs requiring at least a completed secondary education, or equivalent credentials. Section 6 compares the spell data of men and women by cohort.

3.3 *Labour market participation history*

A notable difference between Cohorts 1 and 2 is the duration of their first employment spell. Using the median duration, women in Cohort 2 worked for ten years (two years longer than Cohort 1), before having their first break in employment. The median for Cohort 2 is likely to increase once waves 2 and 3 are considered, as 30% of the women in this cohort had not completed their first spell of employment at the time of the Wave 1 interviews.

Half the women in Cohort 1 had at least one spell out of the labour market that was longer than five years. By contrast, only a quarter of the women in Cohort 2 had a spell out of the labour market that was more than five years. This is a major change, and in the direction that would be predicted by a ‘regime change’ hypothesis – but will need further confirmation using the Waves 2 and 3 data.

At this stage, not a great deal can be said about the impact of policy changes on Cohort 3. This is because a substantial part of this cohort is still studying and/or have not yet settled into the labour market. The changing nature of the labour market, with increasing availability of casual and part-time work is reflected in the larger percentage of Cohort 3 who have only ever worked part-time. (This probably also reflects a combination of working while studying for this cohort.)

The spread of part-time work, reflecting a combination of labour market deregulation policies, coupled with the take-up of this work by women, appears to have contributed to several aspects of the employment histories of women in both Cohorts 2 and 3. These are: longer duration of attachments and a reduced number of spells. In the tables below, the employment, educational and activity spell data are presented for each cohort in greater detail. In each of these tables, a ‘spell’ is calculated from the retrospective labour market and educational panels, based on the respondent’s reported activity from 15 years.

Table 3.6 indicates that the women in Cohort 1 have had the most disrupted labour force participation histories, with a majority of women having two or more spells of employment.³ From Table 3.5, around half of this cohort had one break in employment that was five years or longer.

Table 3.6 Employment spell data by cohort, 1996 (%)

N of spells	Cohort 1	Cohort 2	Cohort 3
1	27.1	46.3	70.1
2	40.2	34.3	24.8
3	23.1	14.3	4.3
4	6.2	4.4	0.8
5	2.2	0.6	-
6	1.0	-	-

For women in Cohort 2, the spell data indicates that 80% of the cohort have had only one break in their employment participation history, with just under half of the cohort currently in their first employment spell. The duration of breaks in employment for this cohort were much shorter than those of Cohort 1 – with the longest break for the majority of women being between 1-3 years, at the time of first interview (cf. Table 3.5).

The results for Cohort 3 cannot be claimed as comparable to those of Cohorts 1 and 2, as most of this cohort have yet to pass through the lifecourse events that are likely to lead to breaks in employment, especially the birth of children. The extent to which this cohort will be able to maintain their labour force attachment in their child-bearing years will become clearer in subsequent waves of NLC data collection.

The number of spells of education completed for each cohort is reported in Table 3.7. These spells follow the same definition as the employment spells. The row of the table that reports ‘zero’ spells indicate the percentage of the cohort who left school before/during their fifteenth year and who reported no subsequent period of education. The spell data do not distinguish between the type and length of education being undertaken in any given spell. So, those who are defined as having one spell can include: women leaving school after 15 years of age (but not completing secondary); those who

³ Multiple spells are defined where there is a break of at least one year. The most recent spell, includes women who have started but not completed a spell.

left school and commenced a vocational or trade certificate/diploma the next year; as well as women who completed their secondary education and then went onto a degree and then postgraduate training without a break.

Table 3.7 Education spell data by cohort, 1996 (%)

N of spells	Cohort 1	Cohort 2	Cohort 3
0	13.7	6.9	3.9
1	45.8	50.1	69.4
2	24.7	29.5	24.4
3	9.2	10.7	1.9
4	4.4	2.3	0.4
5	2.0	0.4	-

With these definitions in mind, this table provides an interesting perspective on the self-reported attainment of qualifications summarised in Table 3.5. For Cohort 1, the reported level of completion of secondary education (49%) is closely aligned with those who reported the completion of one educational spell after turning 15 years (46%). The gap (3%) might be explained by a later return to complete a secondary certificate – which would then be reported as a second spell. The level of second spell completions (25%), roughly lines up with the summary data on tertiary qualification attainment (20%), plus those who returned to study to complete a secondary education certificate (the 3% noted above). The self-reported tertiary attainment data line up with ABS data when Bachelor and Diploma completions are taken together.

For Cohort 2 the gap between those reporting the completion of secondary education (Table 3.5, 60.5%) and those who completed one spell, is much larger – around 10% of the cohort. Like Cohort 1, this gap might be explained by some of the reported second spell. This may be an indication of a greater willingness of this cohort to return to education in order to attain secondary completion status and better wages after the 1972 equal pay decision, especially for those in/or seeking, public sector employment.⁴ Once this group is taken into consideration, those reporting a second spell again line up fairly closely with reported tertiary qualification attainment.

4. Detailed examination of the cohorts

In this section, we examine those aspects of each cohort that specifically relate to the legislative/institutional changes that define the cohort in regime terms. The workshop paper mainly focuses on these issues, while the book chapter will explore other aspects of the cohort more generally.

⁴ After 1974, base grade entry to the Commonwealth Public Service required a completed secondary education certificate – with State Public Services following suit over the next few years.

4.1. The marriage bar cohort

This cohort was directly affected by the lifting of the marriage bar. In the three tables below, we present the pre- and post- marriage labour force characteristics of [a] women in Cohort 1 who were married before all Commonwealth and State bars were lifted (1973); [b] the women in Cohort 1 who were married after 1973; and [c] women in Cohort 2.

Table 3.9[a]: Those who married before 1973 in Cohort 1, N=259

<i>Employment status before marriage</i>	<i>Employment status after marriage</i>		Total
	Working	Not working	
Working	63.3	25.1	88.4
Not working	5.8	5.8	11.6
Total	69.1	30.9	100

Table 3.9[b]: Those who married after 1973 in Cohort 1, N=197

<i>Employment status before marriage</i>	<i>Employment status after marriage</i>		Total
	Working	Not working	
Working	72.1	17.8	89.8
Not working	5.6	4.6	10.2
Total	77.7	22.3	100

Table 3.9[c]: Before and after marriage employment Cohort 2, N=385

<i>Employment status before marriage</i>	<i>Employment status after marriage</i>		Total
	Working	Not working	
Working	73.0	14.5	87.5
Not working	4.9	7.5	12.4
Total	77.9	22.0	100

Tables 3.9 [a] and [b] report the change in employment status before and after marriage for Cohort 1. The tables show that around the same percentage of women were working in each group prior to marriage, but the percentage who left work after marriage from 1973 onwards fell significantly. This change is even more pronounced when the two groups within Cohort 1 are compared with Cohort 2. In further work on this chapter, we intend to

4.2 The equal pay cohort

As noted earlier, the immediate impact of the equal pay changes could have different effects for different groups of women. Some might leave school early, some might stay on longer. For those already in the labour market, they might stay longer before leaving to have children, or return more quickly from child-bearing breaks. In addition, the higher levels of wages on offer for women after 1972 might have tempted women with older children (Cohort 1) back into the labour market after a substantial break from work.

These are just a few of many possibilities to be investigated using the NLC data. Because the NLC does not have retrospective wages data, we have to confine our analysis of the impact of the equal pay decision on participation.

We have already noted that the ABS data shows that, at the aggregate level, the NWC decision of 1972 did not result in a dramatic change in the percentage of women participating in the labour market. In fact, a substantial period of growth had preceded the equal pay decision, associated with the acceptance of the right of women to work after marriage. In the decade after the full implementation of the NWC, women's participation rose incrementally (around 1 percentage point, per annum) until another burst in growth after 1985.

On the evidence from the NLC data discussed so far, we can point to several features of the women in this cohort that distinguish them from Cohort 1: higher levels of secondary education completion; lower levels of *de jure* marriage; longer first spells in the labour market; less frequent exits from paid employment; and much shorter spells out of the labour force, once an exit has occurred. Attempting to draw connections between these characteristics and the impact of equal pay legislation, is difficult to sustain theoretically and unlikely to yield any empirically satisfying results. However, there are three avenues that we intend to pursue in further work in this area:

- Examining the first exits from education around the time of the NWC decision;
- Examining the labour force re-entry of women from Cohorts 1 and 2 around the period of the equal pay decision; and
- Changes in employment duration for women already in work at the time of the decision.

4.3 The affirmative action cohort

At the time of the first interview the average age of women in this cohort was 23 years and just over one-third were still in education. So establishing the extent to which the 1984 sex discrimination legislation and the follow-up EEO/AA legislation of 1986 will have on this cohort will require analysis of later waves of data collection. This task will be problematic due to known attrition bias between the first two waves that affects younger people in the panel. However, there are several avenues for further exploration of this cohort:

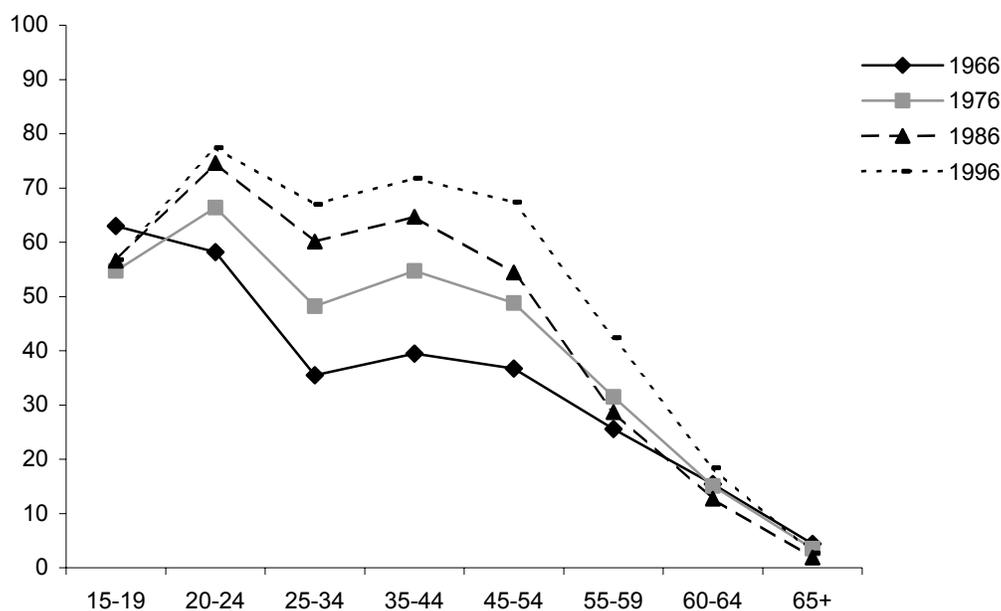
- the extent to which women have moved into non-traditional areas of employment;
- occupational entry levels and advancement over time; and
- the extent to which women in this cohort maintain their labour force attachment through their child-bearing years via part-time employment, rather than leaving the labour force for extended periods.

5. Participation outcomes and legislative change.

Can we link differences in participation outcomes to legislative changes that affected each cohort? At this stage of our work, we would argue that we can point to one very clear link – that of the rise in married women’s participation following the lifting of marriage bars in public sector employment. The impact of this change is observable at the aggregate level through ABS time series data. What the NLC data adds to the aggregate picture is the lengthening of duration rates in the first spell of employment that is observed for Cohort 2 as compared with Cohort 1.

This observation also adds another dimension to the gradual rise in women’s employment observed throughout the 1970s: some of the observed growth was due, in part, to women remaining at work for longer periods rather than being driven solely by new entrants. As women in Cohort 2 were increasingly staying onto complete secondary and then tertiary education, the number of 15-19 year old new entrants would have been falling over this period, as observed in Figure 3.1 below. In the decade 1966 to 1976, participation rates for women of this age group fell by 10 percentage points.

Figure 3.1: Women’s age-participation profile, 1966-96.



The impact of equal pay is to be investigated further by examining the exit and entry behaviour of women around the period 1973-76. What is clear from Figure 1 is that by 1976, the number of women returning to the labour market after the prime child-bearing years (35-44 years at that time) showed a steeper rise than in 1966 and this may be partly due to the improvement in wages that made paid work more attractive than staying at home. In section 3, we have also hinted at one possible negative effect of the introduction of equal pay – that it might have encouraged some women to leave school early. The

evidence for this is tentative and is driven by the gap between the spell data and the reported level of secondary education completions for Cohort 2.

The legislative changes of the 1980s that started the process of improving maternity leave; protecting women's employment continuity during maternity and early childhood; ensuring similar benefits and leave conditions for part-time workers as full-time workers; have probably contributed to the lower number of breaks in employment for women in Cohort 2, as well as much shorter breaks between these spells. In Figure 3.1, we see that by 1996 the dip associated with prime child-bearing years (25-34 years) has become much shallower than in the previous decade, and participation levels return fairly close to the peak observed for 20-24 year olds. The availability of part-time work is undoubtedly associated with both these changes.

Another way of summarising how each cohort has fared is to give a quick sketch of the lifecourse and labour market events they passed through in the first decade after turning 15 years. Table 3.10 provides some selected indicators for each cohort.

Table 3.10: 'Cameos' of each cohort at age 25 years

Event/indicator	Cohort 1	Cohort 2	Cohort 3*
<i>N of observations</i>	497	478	95
% who had married (<i>de jure</i>)	77.7	57.5	28.3
% already had a child	51.3	39.3	9.4
% working [FT/PT]	52.5	75.3	74.7
% in education FT	2.6	3.8	9.5
% had one spell NILF	51.9	45.0	42.3

* Only 35% of this cohort was aged ≥ 25 years at the time of the first interview.

The table confirms the delayed marriage and child-bearing events noted by McDonald and others. It also shows the marked changes in participation of the two later cohorts, as compared with Cohort 1. What does seem a slightly surprising result is the percentage of Cohort 3 who have had one spell of not being the labour force, although this may well be associated with the increasing level of young adults taking a 'gap year' between secondary and tertiary education spells.⁵

6. Do we observe any educational 'catch up' for earlier cohorts?

In an earlier section discussing the number of education spells for women in each cohort, we observed that there was a significant minority who reported two, and occasionally three, completed spells of education after 15 years. One hypothesis here is that the women in Cohort 1 who faced significant discriminatory barriers during their early labour market and left employment (whether voluntarily or otherwise) may have undertaken a

⁵ A practice that is likely to grow due to income support system rules requiring evidence of substantial earnings in the 18 months prior to entry to tertiary education, in order to qualify for maximum rates of support.

later spell of education/vocational training in order to re-enter the labour market. One way of examining this is to compare the attainment levels and spell data for women and men in each cohort. These are reported below in Tables 3.11 and 3.12.

Table 3.11 shows that across the three cohorts the educational attainment gap has closed substantially, with women from Cohorts 2 and 3 overtaking men for secondary and tertiary completion. Although, the Cohort 3 completion rates are likely to change in subsequent waves.

Table 3.11 Summary educational attainment for women and men by Cohort, 1996.

Educational attainment	Cohort 1	Cohort 2	Cohort 3
Av yrs of education (all forms)	14.8	15.1	14.7
Men	16.8	15.6	14.8
% completed secondary	48.9	60.5	66.2
Men	51.5	54.1	61.0
% currently in secondary	-	-	2.6
Men	-	-	1.8
% completed tertiary	20.3	22.0	14.7
Men	25.4	21.4	10.8
% completed post-school qualifications	58.4	56.5	47.1
Men	69.5	62.4	39.5
% currently in post-school education	10.0	14.2	34.9
Men	8.8	15.7	34.1

Using the spell data reported in Table 3.12, it appears that the ‘catch up’ thesis may not hold – there are no significant differences between the incidence of men and women in either of the older cohorts when it comes to undertaking subsequent periods of education. Although, we still need to test whether there were any significant differences between the ages of men and women when these education spells were undertaken. For example, whether the spells were fairly contiguous or separated by long breaks.

Table 3.12 Education spell data for women and men by cohort, 1996 (%)

N of spells	Cohort 1	Cohort 1	Cohort 2	Cohort 2
	Women	Men	Women	Men
0	13.7	11.2	6.9	8.8
1	45.8	47.6	50.1	51.0
2	24.7	26.8	29.5	30.2
3	9.2	10.5	10.7	8.3
4	4.4	3.4	2.3	1.7
5	2.0	0.5	0.4	-

