Department Employment and Workplace Relations

Via Submission Portal

19.02.2026

Secure Australian Jobs Code

To the Department,

The Working with Women Alliance (WwWA) welcomes the opportunity to provide feedback on the development of the Secure Australian Jobs Code (the Code). We recognise the Code as key to ensuring the Government's purchasing power is used to uplift businesses that engage in equitable and sustainable practices, and also, key to strengthening Australia's economy.

Our response to the Department aligns with the values of the Commonwealth Procurement Rules (CPRs); achieving value for money, encouraging competition, and procuring efficient, effective, economical and ethical businesses. The WwWA recommends several areas for consideration, regarding how the Code should promote gender equality and help realise Australia's full economic potential. The Code should leverage Government purchasing power to reward businesses that work towards gender equality, addressing occupational segregation and gender-based workplace violence.

Driving Gender Equality

The CPRs now require recipients of Government contracts to be compliant with the *Workplace Gender Equality Act 2012* (the Act).[i] However, compliance with the Act is not a perfect indicator of the businesses' efforts towards gender equality. The Act requires businesses to report on six Gender Equality Indicators (GEIs) but does not mandate minimum requirements for businesses with less than 500 employees.[ii] Other limitations of the Act include that it only applies to businesses with more than 100 employees, and does not require data collection on LGBTIQA+SB representation, nor other intersectional

populations. Data provided by businesses is also self-reported and may not be followed by meaningful implementation or necessary cultural change.

In addition to minimum statutory obligations, the Department should consider additional requirements for prospective contracting entities to demonstrate proactive efforts towards gender equality. WwWA endorse the proposal for contracting entities to be compliant with the Australian Skills Guarantee Procurement Connected Policy.

Subcontracting and Subsidiaries

The Code should be extended to subcontractors and subsidiaries. This will ensure that government purchasing power is used as widely as possible, to incentivise equitable practices and proactive efforts in reducing occupational segregation and gender-based violence – both of which harm the economy. Extending the code to subcontractors and subsidiaries will offer uniformity, and prevent parent companies from 'cheating the system' by meeting compliance standards through one curated business while the majority of the company is not compliant.

The Construction Sector

Addressing occupational segregation is a key aspect of strengthening Australia's economy. Gender segregated industries, such as construction and healthcare are more likely to experience labour shortages, with 73% of male-dominated occupations currently considered in shortage.[iii]

The construction sector receives the second highest proportion of Government spending on procurement, preceded only by military services and national defence. While the construction sector provides necessary infrastructure and drives economic growth, it is also one of Australia's most gender segregated industries and sees high rates of gender-based violence.

Like the *Workplace Gender Equality Act*, the *Sex Discrimination Act 1984*, encompassing a Positive Duty on employers to prevent gender-based violence, is not necessarily implemented effectively – even where employers appear to be meeting expectations under GEI 6: Sexual harassment.

The Code should apply specific rules in the construction sector to incentivise prospective contracting entities to practice meaningful prevention of gender-based violence. For example, by engaging with the following best practice frameworks:

- Respect@Work Council's *Good Practice Indicators Framework for Preventing and Responding to Workplace Sexual Harassment*.

- Safe Work Australia's model *Code of Practice on Sexual and Gender-Based Harassment*.
- Acknowledging the risk of women working in male-dominated occupations through internal Work Health and Safety frameworks.

Implementing industry-specific guidelines and risk frameworks is crucial to addressing gender inequality and occupational segregation. The government should require prospective contracting entities from the construction sector to demonstrate meaningful steps towards addressing occupational segregation and the risk of gender-based violence.

We thank the Department for the opportunity to provide input and look forward to continued engagement on these important reforms.

Yours sincerely,

Working with Women Alliance

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https://wwwa.org.au/

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[i] *Workplace Gender Equality Act 2012* - Federal Register of Legislation
[ii] *Workplace Gender Equality (Gender Equality Standards) Instrument 2023* - Federal Register of Legislation
[iii] Workplace Gender Equality Agency, 2025, Australia's Gender Equality Scorecard, Australian Government, https://www.wgea.gov.au/sites/default/files/documents/WGEA-Gender-Equality-Scorecard-2024-25.pdf