Survival of the Male Breadwinner

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Abstract: The twentieth century witnessed a substantial increase in the participation of women in the Australian workforce despite the male breadwinner model. Over time, legislation protecting women’s rights has included some acknowledgement of caring responsibilities and the impact of these on the labour market decisions and outcomes of women. Inherent in the development of the culture of women employees is the influence of the feminist movement and social activist groups. These groups provided the momentum for organised labour among women and fostered the militance necessary to balance the gender inequities suffered by women in their work roles. This paper frames the labour history of Australian women and highlights the fact that the male breadwinner model may no longer be preserved in policy and legislation but the concept still lingers and is reflected in the disadvantage women are subject to in the workplace.

Introduction
The disadvantage suffered by women in the sphere of the Australian labour market has been underscored by the male breadwinner model maintained by the Australian system of industrial regulation. Throughout the 20th century women struggled to secure minimal rights in male dominated and protected workplaces. Women who needed to work to support themselves and their children in a male hegemonic society found themselves excluded from various forms of ‘men’s work’ and when their work was permitted in non-restricted areas their pay was only a percentage of that awarded to their male counterparts. An essential part of the development of the role of women as Australian workers’ has been the influence of the feminist movement. The feminist element in social and political groups provided the impetus for organised labour among women and fostered the militance necessary to balance the gender inequalities suffered by females in their work roles due largely to the institutionalisation of the male breadwinner model.

At the heart of the breadwinner model was the expectation that masculinity was a key aspect of obtaining paid work. This concept formed the basis for the creation of a base wage for labouring work and was formalised in the early 20th century and remained in place as a feature of wage determination until the late 1960s. This paper will examine the influence of the male breadwinner model on women in the workplace throughout the 20th and 21st centuries.

Writing that considers the participation of the women in the paid workforce vacillates between blatant expressions of male domination and more recent attempts of regulators to bring equity into the employment relationship involving female employees. Modern literature has developed a more refined lens for viewing past events which exposes the true extent of disadvantage suffered. This perspective provides knowledge which informs the pursuit of social justice and equity for women caught in the legacy of the male breadwinner model.

In the late-nineteenth century, ‘Women’s labour [was] most visible in relation to the ‘family farm’, where female family members assisted in the running of the farm and in providing a steady source of subsistence income’. To work outside the bounds of the family business
was considered undesirable and those whose family circumstances were such that they were required to find paid employment were challenged by a working environment which devalued their rights and worth as employees. The struggles women faced in the early 1900s were often as basic as survival\(^{10}\) and as noble as the quest for equality with men\(^ {11}\) both, at times, equally difficult to achieve.

In the early twentieth century, female breadwinners were in a position of powerlessness, their continued employment was often dependent on the goodwill of other women to assist with their caring responsibilities enabling them to work. ‘It was predominantly women’s unpaid labour that provided the social services now considered essential responsibilities of government such as health care and child care’.\(^ {12}\) A woman without support, had few to assist in her social isolation.\(^ {13}\) The feminist movement was gaining momentum and journals such as ‘Women’s Voice’ were published to advance women’s rights to equal participation within the paid workforce.\(^ {14}\) The attitudes faced by these women could be summed up by ‘the [South Australian] Attorney-General W J Denny, [when he] observed fatuously that it could be fairly stated that women were not the same as men’.\(^ {15}\)

In 1919, the Australian Conciliation and Arbitration Court determined that women who performed women’s work should be paid a basic female wage set at 54% of the male wage regardless of marital status or responsibility for dependants.\(^ {16}\) This decision denied these women and their families the same frugal comfort\(^ {17}\) that was allowed for men under the family model, consisting of a male breadwinner, usually a husband-father and housewife-mother and children.\(^ {18}\)

The establishment of women’s organisations, aimed at collectively supporting professional women against the backdrop of the male breadwinner, played a key role in sustaining the effort to encourage women in non-traditional roles. More than two thirds of female graduates from university in the early 20\(^{th}\) century became teachers,\(^ {19}\) who tended to be employed in private secondary girls’ schools and women’s colleges. Women studying in non-traditional fields experienced greater resistance than those studying to be teachers. Throughout the late 1800s and early 1900s female doctors were more likely to find work in hospitals specialising in women’s and children’s health – work considered more suitable for women\(^ {20}\) - a reflection of a changing attitude toward working women by allowing them into suitable positions while still preserving the male breadwinner model. The struggle of women for equality in the workplace was furthered by the Feminist Club of New South Wales which was formed in 1914. The goals of this club were to work towards equity in the areas of employment opportunity and pay. Jesse Street became its President for a brief period in the 1920s, but resigned to do work with the UAW more congenial to her increasingly socialist politics.\(^ {21}\)

Street was part of the movements for the rights of married women to work and for improved wages for women.\(^ {22}\) Collective action by women was emerging as a key component to advancing their rights in the workplace.

Throughout the mid-twentieth century, gains for women were being made but sometimes it was one step forward and two steps back. The prevailing view that women should be kept in their place and enjoy their position under male protection and preserve the male domain of the workplace.\(^ {23}\) This was underscored by an industrial system which happily acknowledged women as the lower class in the workplace.\(^ {24}\) By the conclusion of World War II women had been promoted, temporarily, to a wage equivalent to 75% of the wage of males. Despite the fact that most of the female wages were returned to 54% at the conclusion of the war, Western Australia, retained their female wage at the 75% level.\(^ {25}\) This failure to recognise the
value of female workers is an example of the detriment women suffered at the hands of the male breadwinner model enshrined by society.

In the post-war period, white collar occupations especially teachers, were most active in challenging the male breadwinner principle. The Teachers’ Federation of New South Wales demanded equal pay for equal work. As a result of the Teachers’ Federation campaign, the New South Wales Industrial Arbitration Act was amended with the addition of Section 88D, Equal Pay under Certain Circumstances. The amendment required that a woman seeking equal pay had to relate her wage value to that of a man in the same occupation.26

Issues specific to women in the workplace began to receive acknowledgement in the public sphere, ‘sexual harassment of women was acknowledged as being both undesirable and prevalent, especially in the workplace’.27 The year 1966 saw the abolition of the exclusion of married women from the Federal Public Service, 28 gains for women were being made but there was little acknowledgement of the vast policy changes needed for women to be fully integrated in the workforce.29 Unions and feminist organisations continued the push for increased equality in the workplace,30 but the breadwinner model persisted. ‘The wage fixing principles of the arbitral systems were based on, and confirmed, the assumption that the typical worker… was understood… he was a he. He would be paid a fair and reasonable wage on the assumption that he was, or would become, the breadwinner for a family’.”31 The male breadwinner concept remained the most significant barrier to women gaining equality in the workforce.32 Collective action proved to be significant in the quest for improved pay and conditions for teachers, specifically in NSW.

The onus was always on women to prove themselves, which was difficult to do from a position of disadvantage with little support available in the wider community.33 Changes in societal attitudes heralded the beginning of a wider understanding by women of their rights as individuals in the workplace. There was also an increasing recognition of the need for women to cooperate to achieve outcomes in policy and legislation.

The 1960s have been shown by history to be an era of change, a time of flux, women were moving to ensure their rights in the workplace and ‘were unionising at a faster pace than men and were emboldened by their increased numbers and solidarity within the labour movement, these women began to demand changes’.34 Women escalated the growth of the feminist movement and female labour force participation increased throughout this decade. The value of collective action soon became apparent. ‘The great gains for women have been made, and are made, through collective action’.35 At the federal level, the campaign for legislative change to enshrine the principle of equal pay made headway in the 1960s. A number of women’s organisations were active in this campaign, including the Australian Federation of Business and Professional Women’s Clubs, Australian National Council of Women, Australian Federation of Woman Voters and the Union of Australian Women. This campaign resulted in the Arbitration Commission’s 1969 equal pay decision.36 The emphasis on collective support by women for women, was important in the success of the continuing campaign for equity in the workplace.

In 1959, the NSW Industrial Arbitration Act was amended to allow equal pay under certain circumstances,37 the responsibility was on women, those seeking equal pay had to argue that their wage was of equivalent value to that of a man in the same occupation.38 The states followed eight years later. In 1967, the total wage replaced the basic wage and margins, following this the AIRC instituted a system where wages would be reviewed on an annual
basis on ‘general economic grounds’. These decisions flagged an era in which issues of the family began, very gradually, to be separated from wage fixation.

The Arbitration Commission’s 1969 equal pay decision brought Australian women another step closer to equal pay for work of equal value. The ACTU claim for equal pay in the 1972 National Wage Case ‘overcame some of the limitations of the 1969 principles by broadening the scope from ‘equal work’ to ‘equal value’, thus opening the door to claims from female dominated areas of work’. However, an application for a minimum wage for women was rejected despite the fact that equal pay was being phased into the awards, due to a lingering intent to use the family unit as the basis for the minimum wage. This was followed in 1974 by the ratification of the International Labour Organisation (ILO) No 100 Equal Remuneration (1951) affirming the ‘equal pay for work of equal value’ principle as well as applying the minimum wage to women. The AIRC effectively made the point that its role was in industrial arbitration tribunal maintaining that the care of families was the responsibility of government. The final formal barrier to gender wage equality was the continued imposition of a higher minimum wage for men to allow for their family responsibilities which was finally removed in 1974. The institutionalisation of the breadwinner model was in decline.

Women’s issues were now firmly on the agenda, but they remained second class citizens in the workplace. At this point in time women walked an awkward tightrope, balancing the need to be seen as individuals contributing meaningfully to the workplace while conforming to the social expectations which still embraced the male breadwinner model. The extensive institutional legacy of this model and its subsequent formal illegitimacy combined with social change (which included the increasing number of married women in the workforce, a greater number of two-income families and single parent households and a growing demand for equal rights and pay) resulted in discontent between the expectations of employment and the reality of living and working. The undervaluation of female dominated work began to develop as a pressing issue and any equal pay cases presented to the AIRC were subject to the Government’s overarching policies of wage restraint. Events such as this, not necessarily related to the promotion of the male breadwinner model, continued its institutional influence on wage equity. The role the Government undertook with regard to allocation of assistance to families finally relieved the wage system of its previous responsibility for family.

The equity trends of the 1980s were continued through legislative change. Equal employment opportunity introduced a new round of concern where women were forced to work harder than men to prove their equality in professions traditionally the domain of men. This became evident in the ‘1986 test case seeking revaluation of nurses’ work on the basis of comparable worth, through a variation to the Private Hospitals and Doctors’ Nurses (ACT) Award’. Rather than supporting the male breadwinner model in an overt way, the decisions of the AIRC contributed to its continued survival, if not in policy, then certainly in practice. Throughout the 1980s the concept of structural efficiency moved aside concerns for comparative wage justice. In an era when equality of pay and conditions was beginning to be taken for granted by society, inequality maintained its status by stealth.

The Accords protected minimum pay rates, through the safeguards of wage indexation and protected vulnerable groups of workers mainly through awards. These protections continued until the introduction of the Workplace Relations Act (1996), which introduced individual contracts and reduced the scope of awards and modified the influence of the
AIRC. 51 Since the Workplace Relations Act (1996) (and subsequent amendments) reduced the trade unions' exclusive right to represent employees in industrial issues and progressively promoted individual agreement making, women have been denied the power to effectively defend their workplace pay and conditions. 52 The themes of female collectivity and the male breadwinner model consistently emerge in the history of female employees, so it is unsurprising that an individualist industrial relations framework such as WorkChoices disadvantaged female employees.

The 1996 Workplace Relations Act allowed for parents to access entitlements from the ACTU-led Maternity Leave (1979) and Parental Leave (1990) test cases. Additional parental provisions were gained through ACTU test cases in the 1990s. 53 While gains were made which made the role of working carer more manageable, community attitudes continued to allocate caring responsibilities to women. The role of women blurred between breadwinner and principal carer, 54 society seems to prefer to have it both ways with women working fewer family friendly hours 55 for less pay 56 while making little allowance for caring responsibilities 57. Power, for women in the workplace where bargaining was becoming more individualised, was limited. 58 The participation of unions in the workplace was increasingly restricted, and those previously protected through test cases and through the awards, were vulnerable. 59 Women have resorted to developing strategies to manage multiple expectations at work. 60

‘By 2001, 28 per cent of Australian employees (and 45 per cent of female employees) worked part-time, and much of this employment was casual’. 61 The precariousness of work for part-time and casual workers was compounded by their lack of access to benefits often made available for full-time workers. Part-time or casual was (and still is) often undertaken to facilitate the type of flexibility required by women caring for others. 62 Part-time work consists of typically lower paid, lower level positions with few benefits to assist with work-family balance, caring responsibilities and other roles that women might undertake. 63

The inexorable march towards individualisation had begun with the introduction of the Workplace Relations Act (1996), workers’ rights were whittled away and employers were gaining the upper hand in power relations in the workplace. 64 ‘The general pattern from all data is that the progress towards equal pay that was being achieved through the 1970s and 1980s has been halted, and partly reversed, under the enterprise bargaining regimes of the Accord and the WR Act’. 65 The support women had previously received from unions in their quest for flexible work was denied them. The male breadwinner was beginning to re-emerge through the disadvantage experienced by women brought about by a neo-liberal approach to industrial relations. 66 Evidence presented to the Standing Committee on Social Issues, NSW Legislative Council, has reflected the disadvantage felt by women. This was highlighted by a childcare worker who gave her perspective on the introduction of the WorkChoices legislation.

'I am disgusted to think that we are not rewarded for working hard. I used to be paid $280 a week to look after and take on responsibility for other people’s children. Though the pay equity case is through, some small businesses will not have to pass on the benefits of that decision, and I am concerned that from now on it will operate on a case-by-case basis... Regardless of the political rhetoric, in the real world it is not a level or genuine playing field for women to thrash out their rights and conditions with their bosses. Couple this with the removal of the independent umpire and the no
disadvantage test, and tell me honestly how we can fight the person who has the purse strings’.67

The advent of WorkChoices denied women a position of power at the bargaining table.68 They were required to ‘bargain’ for their pay and conditions but found that they often had little to bargain with and a lot to bargain for. WorkChoices legislation undermined hard fought provisions allowing a reduction in the pay and conditions of employees, which had evolved through consultative processes over more than 100 years of conciliation and arbitration.69 ‘The gender pay gap was worse on AWAs: whereas women on registered collective agreements received 90 per cent of the hourly pay of men on such agreements, women on AWAs received only 80 per cent of the hourly pay of men on AWAs’.70

The modernised version of the male breadwinner model reflected in many workplaces in the past, re-emerged with a vengeance with the advent of WorkChoices. Social inequities perpetuated previously, found a new home with this legislation. The Fair Work Act carries with it hope for a workplace where ‘equal remuneration for work of equal or comparable value’71 is once again on the agenda of the Federal Government.

In May 2011, Fair Work Australia (FWA) handed down a decision on a landmark Equal Remuneration Case brought by several unions in the social, disability and community services sector (SACS). FWA found that there is a partially gender driven difference between the wages of SACS employees and those of other public sector employees who perform comparable work.72 FWA did not make an immediate order, instead deferring a decision to give the parties time to attempt to reach some agreement73 (the outcome of which was not known at the time of writing). This was the first use of the Fair Work Act’s new broader definition of gender equity in remuneration encompassing work of comparable, not just equal, value,74 and has the potential to further advance gender pay equity.

The benefits of the Fair Work Act extend to the modernisation of awards which will further preserve and pursue: the need to encourage collective bargaining; the facilitation of flexible working arrangements (particularly for employees with family responsibilities) as well as provide bargaining support for the low paid. Each of these objectives is useful for the support, explicitly or implicitly, of women in the workplace.

Balancing work and family, has involved the development of governmental policies which support the needs of employees who have caring responsibilities. These policies, in practice, tend to refer to the juggling act carried out by women who need to balance employment and caring roles.75 The Fair Work Act aims to achieve a number of outcomes in support of the needs of workers with caring responsibilities, one of these is to improve the pay of women. The low paid bargaining stream provides a means for improving the pay for the low paid. Women form a significant number of workers who will benefit from this support as they make up a large proportion of casual employees.76

The safety net provided by the National Employment Standards (NES) provides the right to request an extension to the existing parental leave entitlement and also the right to request changes to work to allow for care of children.77 Women are the main carers of children and because of this it is they are the most likely to benefit from these ‘right to request’ provisions.78
Maternity leave, like so many other workplace provisions which assist with work and caring responsibilities, was achieved over decades of persistent lobbying. In 1979, the ACTU test case resulted in the Commission handing down a decision to allow women employed under awards, to be eligible for 52 weeks maternity leave. It was not until 1990 that men were provided with the same allowance if they were primary carer, a reflection of the view of male roles as breadwinners, not carers. Once again it was the ACTU which, in 2005, pursued an improvement in working conditions affecting women with the Family Provisions test case, and resulted in the right of parents to two years unpaid parental leave and part-time work for those with children under school age. Paid parental leave, finally became available to working parents in January 2011 and provides 18 weeks leave paid at approximately $570 per week. Until then Australia had been one of only two developed countries without a paid parental leave scheme.

The Fair Work legislation holds the anticipation of a better working life, and the expectation of long-term societal change – and it is only with this change that there is hope of eliminating the male-breadwinner concept. In recent times it has been preserved in the attitudes of society. Work has traditionally been seen as the domain of men and only with the wisdom of hindsight and the benefit of collective achievement can existing perceptions of social justice for women continue to be challenged and advanced.

The male breadwinner model still exists in society as a result of imbalances between male and female earnings, the concentration of women in part-time and casual work and the caring responsibilities which tend to be the responsibility of women. The institutional establishment of the male breadwinner model was entrenched in Australian society when Justice Higgins used this concept to formulate the base wage for male workers and it remained part of wage fixing until the late 1960s. The cause of the male breadwinner has been advanced in recent times with legislation which inadvertently supported inequality in the workplace. The hope for future change lies in the Fair Work legislation and its expectations for re-building justice in the workplace.

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Notes
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