

Raising a dispute regarding a systemic gender equality issue with an employer

Disputes about systemic gender equality issues

The Commission for Gender Equality in the Public Sector (Commission) has been established to oversee the implementation of the *Gender Equality Act 2020* (Act).

The Act provides the Public Sector Gender Equality Commissioner (Commissioner) with certain powers to help Victorian public sector employers or local councils to resolve systemic gender equality issues. These powers commenced operation on 31 March 2021. The powers apply where the dispute arises under an enterprise agreement or workplace determination and is referred to the Commissioner in accordance with a term of that instrument.

To access the assistance of the Commissioner to resolve a dispute about a systemic gender equality issue you should have raised the dispute with the employer in accordance with your enterprise agreement or workplace determination. Generally this will involve writing to your employer and providing them with sufficient detail of the issue in order for them to make a reasonable assessment of the nature of the dispute, the class or group of employees impacted by the dispute and any proposed resolution. This form is intended to support employees raising disputes over a systemic gender equality issue.

This form should be read in conjunction with the **Dispute Resolution Function – Guidance Note** which can be found at www.genderequalitycommission.vic.gov.au/what-disputes-can-commissioner-resolve.

Who can use this form

Use this form if you:

- work in a public sector body, Court Services Victoria, the Office of Public Prosecutions, or a Designated Body prescribed by regulations, and
- are covered by an enterprise agreement or workplace determination, which contains a gender equality term which allows for the Commissioner's involvement, and
- you are a class or group of employees or union who wishes to raise a dispute about a systemic gender equality issue arising under an applicable enterprise agreement or workplace determination with the employer.

Lodging a completed form

Lodge your completed application form, along with any supporting documents, with the employer in writing.

Where to get help

Commission staff cannot provide legal or employment advice to members of the public. However, Commission staff can give you general information on:

- the workplace gender equality indicators,
- the role of the Commission,
- the requirements and obligations outlined in the *Gender Equality Act 2020* (Act),
- the dispute resolution functions of the Commissioner, and
- other organisations that may be able to assist you to resolve your issue.

The Commission's website <https://www.genderequalitycommission.vic.gov.au/> also contains a range of information that may assist.

For further information on the terms and conditions of your employment and/or the operational policies of your employer relevant to your dispute you should contact your immediate manager or employer's People and Culture team (however described) for assistance.

Raising a dispute about a systemic gender equality issue with your employer

Details of the dispute of the systemic gender equality issue

When raising a dispute with your employer you should provide in writing sufficient detail of your dispute in order for the employer to make a reasonable assessment of the nature of the issue, the class or group of employees impacted by the dispute and any proposed resolution. The table below will prompt you to provide important information which may be required by your employer to assess the issue.

Name & contact details of applicant (or union representative if represented by a union)	
Name of employer(s) subject to the dispute	
Description of systemic gender equality issue which is the subject of the dispute <i>(please provide as much detail as possible, add further pages or attachments with supporting evidence as necessary)</i>	
Class or group of employees adversely affected by the systemic gender equality issue	



<p>Gender Equality Act 2020 workplace gender equality indicator(s) to which the dispute relates <i>(please select all that are relevant)</i></p>	<p><input type="checkbox"/> - Gender composition at all levels of the workforce <input type="checkbox"/> - Gender composition of governing bodies <input type="checkbox"/> - Gender pay equity <input type="checkbox"/> - Workplace sexual harassment <input type="checkbox"/> - Recruitment and promotion <input type="checkbox"/> - Leave and flexibility <input type="checkbox"/> - Gendered workforce segregation</p>
<p>Name of enterprise agreement or workplace determination</p>	
<p>Term of the enterprise agreement or workplace determination that allows referral of dispute to Commissioner</p>	
<p>Description of the adverse effects on the class or group of employees who are the subject of the dispute <i>(please provide as much detail as possible, add further pages or attachments with supporting evidence as necessary)</i></p>	
<p>If you have a proposed resolution to your dispute, please provide a description of the resolution sought <i>(please provide as much detail as possible, add further pages or attachments as necessary)</i></p>	

Signature

If you are completing this form electronically and you do not have an electronic signature you can attach, it is sufficient to type your name in the signature field. You must still complete all the fields below.

<p>Signature</p>	
<p>Name</p>	
<p>Date</p>	

PLEASE RETAIN A COPY OF THIS FORM FOR YOUR OWN RECORDS