

04 Older women's network NSW

38 May 2012

Older Women's Network NSW notes on a submission to ALRC Grey Areas—Age Barriers to Work in Commonwealth Laws (IP 41)

28 May 2012

The Older Women's Network (OWN NSW) welcomes the opportunity to respond to the important issues raised in the Australian Law Reform Commission Issues Paper on barriers to older people and employment.

A gendered difference in ageing

OWN NSW would firstly raise an encompassing principle which emerged from the two landmark reports produced by OWN NSW between 2008 and 2010.

The principle is that ageing is experienced differently according to gender and that good policy and legal protection is based on an understanding of this difference. The first report, *The disappearing age* (McFerran2008) criticized the failure of the domestic violence sector to identify the vulnerability of older women to violence.¹ The report also criticised the failure of the aged sector to identify the different experiences of violence between older women and men. Similarly, in *It could be you; female, single, older and homeless* (McFerran 2010) OWN NSW criticized the failure of housing and homeless policy to consider the difference experiences between the genders, leading to a failure to anticipate the accommodation risk to ageing single women, particularly as a result of losing their jobs.

To paraphrase the Australian Human Rights Commission (Cerise et al 2009): unlike most men women accumulate poverty over their lifetime.

That there is 'diversity between the life experiences of older men and women' has been recognised by the Advisory Panel on the Economic Potential of Senior Australians in their Ageing Agenda (2011 p.7).

Consequently we urge the ALRC to give careful consideration to the specific barriers to older women remaining in work, and the particular challenges faced by women in precarious and lower paid employment.

Capacity as a Principle

We would agree with the principles proposed by the ALRC but would add one further

¹ Often quoted research by VicHealth (2004) discusses the health risks of domestic violence, but the reporting emphasises the risk to younger women, overlooking the evidence that between the two national safety surveys (1995-2005) the greatest increase in reporting of personal violence has been by women aged fifty-five and older.

principle, namely capacity. We understand capacity to operate on a number of levels, including capacity to continue in employment and capacity to protect oneself from discrimination and adverse treatment. This principle should specifically apply to women in lower skilled and less secure employment. The principle of capacity, we believe, was demonstrated in our report on older women at risk of homelessness.

When consulting on the issue of violence against older women, the homeless sector in NSW brought to our attention their concerns with the rising numbers of older women homeless for the first time, and seeking access to the very limited support provided by the sector for older women. Australian crisis accommodation provision has historically been focused on younger women with dependent children, younger people and homeless men. There have been no funded services for older women. Consequently, the finding that older women were outnumbering older men in crisis accommodation is all the more remarkable, and suggest a real failing in our understanding of risk and in our future planning for the emerging homeless populations.

Losing the job: Occupational health crisis

The literature review for the report suggested that the economic impact of divorce results in women often falling out of home ownership, being consigned to part time work in order to care for dependent children, and being concentrated in low paying gendered work. When these conditions are coupled with the mismatch of affordable housing supply for single people the result is large numbers of ageing, single women renters being at real risk of homelessness. Further, as interviews with a number of older homeless women revealed, the key trigger for homelessness was losing their jobs.

The most common experience was of a long working life in factories, service industries or administration, and that this type of work often contributed to an occupational health crisis for women in their forties or fifties. This crisis then seriously affected their capacity to continue working.

Health in ageing is clearly a critical factor in remaining productively employed. The evidence is that the health of many mid-aged women up to the retirement years will remain good and may even be improving.

In the Women's Health Longitudinal studies (Department of Health and Ageing 2011) 87% of women aged 59-64 said their health was good to excellent, with the majority reducing their levels of 'vigorous' activities such as strenuous sports (and the attendant injuries requiring time off work) but maintaining moderate activities or sports. Indeed, there is evidence that mid-age women (aged 45-60) are increasing their physical activity: 'Life events associated with mid-age women (45-60) *increasing* their physical activity included a major personal achievement, retirement, and death of a spouse' (Brown *et al.* 2007)

As the majority of women interviewed for *It could be you* were aged in their fifties, OWN NSW is concerned that they represent a group of disadvantaged women at risk of occupational health crisis far greater than the evidence suggested by the studies quoted

above, and that their capacity to protect themselves from the consequences of this crisis is severely limited.

Age discrimination

Many women interviewed suggested that health problems were compounded by an element of age discrimination as they struggled to find new work. This finding mirrored the Australian Human Rights Commissions findings on age discrimination: of 'unlawful stereotypes and assumptions about older women workers' concluding that there are significantly higher rates of under utilization of older women than men in the paid workforce (Cerise et al 2009)

It could be you drew attention to the gap between retirement ages for older Australians and suggested that health crisis coupled with age discrimination were critical factors in forcing women reluctantly out of the workforce.² A later Productivity Commission Staff Working Paper on labour force participation for older women (Gilfillian & Andrews 2010) found that this gap in retirement has narrowed with older women doubling their share of the hours worked, and the gap at retirement between men and women reduced to two years.

This trend is positive, but OWN NSW is concerned that the Commission Paper reported participation rates for women with 'higher educational attainment' are consistently higher than for those women with no post-school qualifications and that 'health status has a significant impact on the labour force participation of older women'.³ Once again, the concern is that less skilled women at risk of occupational health crisis are being disadvantaged.

Insecure work

The ACTU report on its independent inquiry into insecure work in Australia (ACTU 2012) reports that almost one quarter of all Australian employees are casuals, with women 'much more likely to be in casual employment than men' (p 15) as are women who experience family violence (p 43). The report notes the barriers to older workers in regaining secure employment. In one case study a forty year old women had forty jobs in twelve months. All the women interviewed for *It could be you* had been employed in areas of insecure work.

The consequences of losing the job

² In a footnote (59) the report draws attention to the gap between older women returning to work post retirement because of financial need (42%) and men (36%).

³ A further finding was that caring responsibilities for other family members (the sandwich phenomenon) result in older women being less likely to be employed or to be employed part time.

These findings flag the important issues of education, health and caring responsibilities as critical in terms of capacity or access to work, specifically as this affects certain groups of older women who are falling between the gaps.

This concern was reinforced by research by the Australian Council of Social Services (ACOSS). ACOSS found that while there had been a decline in social security reliance since the early 1990s, the strongest growth in Disability Support pensions was among older women, largely as a result of the closure of age pensions for women aged 60-63, and that major reasons cited were mental or intellectual disability (Davidson 2011).

This reflected the findings of *It could be you*, as many women reported a deterioration in their mental health due to the anxiety of their lives and the risk of homelessness. It was significant that one older woman, now safely and securely housed noted 'I have always been prone to depression, but it could have been because of the marriage because I am not that depressed now'. Being homeless was deeply shocking and depressing for many women interviewed. Many thought they would always work, and being able to financially support themselves. A third had lived in mortgaged homes before divorce. Many had been able to financially assist their children. Their own families were now unable (due their own housing pressures) or unwilling (due to internal family conflict, rejection of perceived failure or a number of other factors) to support their relative at risk.

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