



Workplace Gender Equality (Gender Equality Targets) Instrument 2025

I, Katy Gallagher, Minister for Women, make the following instrument.

Dated 28 March 2025

Katy Gallagher
Minister for Women

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Part 1—Preliminary

1 Name

This instrument is the *Workplace Gender Equality (Gender Equality Targets) Instrument 2025*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information | | |
|---------------------------------|---|--------------|
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. The whole of this instrument | Immediately after the commencement of the <i>Workplace Gender Equality Amendment (Setting Gender Equality Targets) Act 2025</i> . | 4 April 2025 |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under section 17B of the *Workplace Gender Equality Act 2012*.

4 Definitions

Note: A number of expressions used in this instrument are defined in the Act, including the following:

- (a) baseline report;
- (b) designated relevant employer;
- (c) discrimination;
- (d) employer;
- (e) gender equality indicators;
- (f) gender equality target;
- (g) governing body;
- (h) harass on the ground of sex;
- (i) public report;
- (j) reporting period;
- (k) sexually harass;
- (l) target cycle.

In this instrument:

Section 4

Act means the *Workplace Gender Equality Act 2012*.

action target means a gender equality target that is specified in Part 3 to be an action target.

adverse action has the same meaning as in the *Fair Work Act 2009*.

Agency Head has the same meaning as in the *Public Service Act 1999*.

baseline means:

- (a) in relation to a value for a numeric target for an employer for a target cycle—the corresponding value reported in the baseline report for the target cycle; or
- (b) in relation to an action target for an employer for a target cycle—the circumstances or actions to which the action target relates, as reported in the baseline report for the target cycle.

family and domestic violence has the same meaning as in the *Fair Work Act 2009*.

manager includes the following:

- (a) Chief Executive Officer or equivalent;
- (b) Agency Head or equivalent;
- (c) key management personnel;
- (d) other managers.

non-manager, in relation to an employer, means an employee of the employer who is not a manager.

numeric target means a gender equality target that is specified in Part 3 to be a numeric target.

Part 2—Rules relating to gender equality targets

5 Setting gender equality targets

For the purposes of paragraph 17B(1)(a) of the Act, each target in a section in a Division of Part 3 of this instrument is set as a gender equality target in relation to the gender equality indicator mentioned in the heading of that Division.

6 Rules for the selection of targets by a designated relevant employer

- (1) For the purposes of paragraph 17B(1)(b) of the Act, subsections (2), (3) and (4) of this section are specified as rules for a designated relevant employer selecting targets in accordance with subsection 13(3AA) of the Act in relation to a target cycle that begins after the commencement of this instrument.
- (2) In selecting gender equality targets the designated relevant employer must select 3 different targets, at least one of which must be a numeric target.
- (3) If a designated relevant employer is required to nominate or specify anything in relation to a target, the employer must do so by including the nomination or specification in the public report in which the employer selects the target.
- (4) If a target provides that a designated relevant employer is only eligible to select the target in certain circumstances, an employer may only select the target if those circumstances exist.

Section 7

Part 3—Gender equality targets

Division 1—Gender equality indicator 1—gender composition of the workforce

7 Gender equality target—increased representation (non-managers)

- (1) If an employer selects this target in relation to a target cycle, the employer must:
 - (a) specify a category of non-managers (which must not include all non-managers) in which there was an under-represented gender in the baseline; and
 - (b) nominate the increase (as a percentage) in the representation of the under-represented gender in the specified category at the end of the target cycle, as compared to the baseline, that is required for the employer to have met the target.
- (2) The target in this section is a numeric target.

8 Gender equality target—increased representation (managers)

- (1) If an employer selects this target in relation to a target cycle, the employer must:
 - (a) specify a category of managers (which may be a category that includes all managers) in which there was an under-represented gender in the baseline; and
 - (b) nominate the increase (as a percentage) in the representation of the under-represented gender in the specified category at the end of the target cycle, as compared to the baseline, that is required for the employer to have met the target.
- (2) The target in this section is a numeric target.

9 Gender equality target—increased representation (promotions to manager)

- (1) If an employer selects this target in relation to a target cycle, the employer must:
 - (a) specify a gender that was under-represented in promotions of non-managers to managers in the baseline; and
 - (b) nominate the increase (as a percentage) in the representation of the under-represented gender in promotions of non-managers to managers during the third year of the target cycle, as compared to the baseline, that is required for the employer to have met the target.
- (2) The target in this section is a numeric target.

10 Gender equality target—increased representation (pay quartile)

- (1) If an employer selects this target in relation to a target cycle, the employer must:
 - (a) specify a pay quartile of employees in which there was an under-represented gender in the baseline; and
 - (b) nominate the increase (as a percentage) in the representation of the under-represented gender in the pay quartile at the end of the target cycle,

as compared to the baseline, that is required for the employer to have met the target.

- (2) The target in this section is a numeric target.

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Division 2—Gender equality indicator 2—gender composition of governing bodies

11 Gender equality target—composition of governing body

- (1) If an employer selects this target in relation to a target cycle, the employer must:
 - (a) specify the gender that was under-represented in the employer’s governing body in the baseline; and
 - (b) nominate the increase (as a percentage) in the representation of the under-represented gender in the employer’s governing body at the end of the target cycle, as compared to the baseline, that is required for the employer to have met the target.
- (2) The target in this section is a numeric target.

Division 3—Gender equality indicator 3—equal remuneration between women and men

12 Gender equality target—reducing the gender pay gap

- (1) If an employer selects this target in relation to a target cycle, the employer must:
 - (a) specify, in relation to the employer's employees, one of the following values in which there was a difference between employees of each gender in the baseline:
 - (i) the average of the base salary of the employees;
 - (ii) the median of the base salary of the employees;
 - (iii) the average of the total remuneration of the employees;
 - (iv) the median of the total remuneration of the employees; and
 - (b) nominate the reduction (as a percentage) in the difference in the specified value between employees of each gender at the end of the target cycle, as compared to the difference in the baseline, that is required for the employer to have met the target.
- (2) The target in this section is a numeric target.

13 Gender equality target—reducing the gender pay gap for managers or non-managers

- (1) If an employer selects this target in relation to a target cycle, the employer must:
 - (a) specify, in relation to the employer's employees, either:
 - (i) managers; or
 - (ii) non-managers; and
 - (b) specify, in relation to the category of employees specified in accordance with paragraph (a), one of the following values in which there was a difference between employees of each gender in the baseline:
 - (i) the average of the total remuneration of the employees;
 - (ii) the median of the total remuneration of the employees; and
 - (c) nominate the reduction (as a percentage) in the difference in the specified value between employees of each gender in the category at the end of the target cycle, as compared to the difference in the baseline, that is required for the employer to have met the target.
- (2) The target in this section is a numeric target.

14 Gender equality target—undertake gender pay gap analysis

- (1) If an employer selects this target in relation to a target cycle, the employer must, during the target cycle:
 - (a) undertake a comprehensive gender pay gap analysis at least annually; and
 - (b) report the results of the analysis to the governing body of the employer.
- (2) The employer meets the target if the employer does the things mentioned in paragraphs (1)(a) and (b) at least annually during the target cycle.

Part 3 Gender equality targets

Division 3 Gender equality indicator 3—equal remuneration between women and men

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- (3) An employer is only eligible to select this target if the employer did not undertake a comprehensive gender pay gap analysis in the 2 reporting periods immediately prior to the target cycle.
- (4) The target in this section is an action target.

15 Gender equality target—equal remuneration and gender pay equity policies

- (1) If an employer selects this target in relation to a target cycle, the employer must specify at least 2 of the following things that the employer's policies did not provide for in the baseline:
 - (a) remuneration review processes without gender biases;
 - (b) transparency about pay scales and salary bands;
 - (c) managers being held accountable for gender pay equity outcomes.
- (2) The employer meets the target if, at the end of the target cycle, the employer's policies provide for the specified things.
- (3) An employer is only eligible to select this target if there are at least 2 things described in the paragraphs of subsection (1) that the employer's policies did not provide for in the baseline.
- (4) The target in this section is an action target.

Division 4—Gender equality indicator 4—availability and utility of employment terms, conditions and practices relating to flexible working arrangements for employees and to working arrangements supporting employees with family or caring responsibilities

16 Gender equality target—introduce employer-funded parental leave

- (1) If an employer selects this target in relation to a target cycle, the employer must specify either of the following entitlements:
 - (a) an entitlement to employer-funded parental leave for employees who are primary carers;
 - (b) an entitlement to employer-funded parental leave for employees that does not distinguish (including in eligibility or the nature of the entitlement) between primary carers and secondary carers.
- (2) The employer meets the target if, at the end of the target cycle, the employer provides the specified entitlement.
- (3) An employer is only eligible to select this target if the employer did not provide the specified entitlement in the baseline.
- (4) The target in this section is an action target.

17 Gender equality target—increase the uptake of primary parental leave by the under-represented gender

- (1) If an employer selects this target in relation to a target cycle, the employer must:
 - (a) specify a gender that was under-represented in taking primary parental leave in the baseline; and
 - (b) nominate the increase (as a percentage) in the proportion of employees taking primary parental leave in the third year of the target cycle who are of that gender, as compared to the proportion in the baseline, that is required for the employer to have met the target.
- (2) The target in this section is a numeric target.

18 Gender equality target—improve employer-funded parental leave

- (1) If an employer selects this target in relation to a target cycle, the employer must specify either:
 - (a) at least 3 of the things listed in the paragraphs of subsection (2) that the employer did not provide to employees in the baseline; or
 - (b) at least 2 of the things listed in the paragraphs of subsection (2) that the employer did not provide to employees in the baseline, and either:
 - (i) that the employer will increase the length of existing employer-funded parental leave entitlements available to the primary carer; or

Part 3 Gender equality targets

Division 4 Gender equality indicator 4—availability and utility of employment terms, conditions and practices relating to flexible working arrangements for employees and to working arrangements supporting employees with family or caring responsibilities

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- (ii) that the employer will increase the length of existing employer-funded parental leave entitlements that do not distinguish between primary carers and secondary carers.
- (2) For the purpose of subsection (1), the following things may be specified:
 - (a) employer-funded parental leave is available for employees of all genders without a distinction between primary carers and secondary carers;
 - (b) the rate of pay for employer-funded parental leave is full salary replacement (independent of any statutory entitlements to paid parental leave);
 - (c) employer-funded parental leave can be taken at any time in the 24 month period that begins the day a child is born or adopted by an employee;
 - (d) employer-funded parental leave is available in respect of still births, surrogacy and adoptions;
 - (e) no minimum service period applies to employer-funded parental leave entitlements;
 - (f) the employer pays superannuation contributions while an employee is on employer-funded parental leave;
 - (g) the employer pays superannuation contributions while an employee is on unpaid parental leave;
 - (h) an opt-out requirement for employer-funded parental leave, so that an employee who is taking employer-funded parental leave is assumed to be taking the employee's full employer-funded parental leave entitlement unless they specifically request otherwise.
- (3) The employer meets the target if, at the end of the target cycle, the employer provides the specified things to employees.
- (4) An employer is only eligible to select this target if either:
 - (a) there are at least 3 things described in the paragraphs of subsection (2) that the employer did not provide to employees in the baseline; or
 - (b) there are at least 2 things described in the paragraphs of subsection (2) that the employer did not provide to employees in the baseline, and the employer specifies the matter in subparagraph (1)(b)(i) or (ii).
- (5) The target in this section is an action target.

19 Gender equality target—improve facilities or support for employees with carer responsibilities

- (1) If an employer selects this target in relation to a target cycle, the employer must specify at least 2 of the following things that the employer did not provide to employees in the baseline:
 - (a) breastfeeding facilities;
 - (b) onsite childcare;
 - (c) employer subsidised childcare;
 - (d) internal support networks for employees who are parents or carers;

- (e) access to priority places at local care centres to support employees with carer responsibilities.
- (2) The employer meets the target if, at the end of the target cycle, the employer provides the specified things to employees.
- (3) An employer is only eligible to select this target if there are at least 2 things described in the paragraphs of subsection (1) that the employer did not provide to employees in the baseline.
- (4) The target in this section is an action target.

20 Gender equality target—improve flexible work offerings for employers

- (1) If an employer selects this target in relation to a target cycle, the employer must specify at least 6 of the following things that the employer will provide to employees (whether or not the employer already provided those things to employees in the baseline):
 - (a) flexible hours (including flexible start and finish times);
 - (b) reduced hours or part-time work;
 - (c) job-sharing arrangements;
 - (d) compressed work weeks;
 - (e) purchased leave;
 - (f) time-in-lieu;
 - (g) remote work.
- (2) If an employer selects this target in relation to a target cycle, the employer must also specify at least 4 of the following things that the employer's policies did not provide for in the baseline:
 - (a) training on flexible working and remote and hybrid teams is provided to managers;
 - (b) training on flexible working and remote and hybrid teams is available to all employees;
 - (c) a business case for flexibility that has been established and endorsed at the leadership level;
 - (d) leaders to be held accountable for increasing take-up and approval of workplace flexibility;
 - (e) all employees to be surveyed on whether they have sufficient flexibility;
 - (f) the impact of flexibility to be measured and evaluated;
 - (g) metrics on the use of, and the impact of, flexibility measures to be reported to key management personnel and the employer's governing body;
 - (h) the ability to job share to be incorporated into job design and the advertising of new roles;
 - (i) flexible work arrangements to be available to all employees, with a default bias towards approval;
 - (j) all team meetings to be offered online.
- (3) The employer meets the target if, at the end of the target cycle:

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Division 4 Gender equality indicator 4—availability and utility of employment terms, conditions and practices relating to flexible working arrangements for employees and to working arrangements supporting employees with family or caring responsibilities

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- (a) the employer provides the things specified under subsection (1) to employees; and
 - (b) the employer's policies provide for the things specified under subsection (2).
- (4) An employer is only eligible to select this target if there are at least 4 things described in the paragraphs of subsection (2) that the employer's policies did not provide for in the baseline.
- (5) The target in this section is an action target.

21 Gender equality target—proportion of managers who are part-time

- (1) If an employer selects this target in relation to a target cycle, the employer must nominate the increase (as a percentage) in the proportion of managers who are working part-time at the end of the target cycle, as compared to the proportion in the baseline, that is required for the employer to have met the target.
- (2) The target in this section is a numeric target.

22 Gender equality target—improve supports for employees experiencing family and domestic violence

- (1) If an employer selects this target in relation to a target cycle, the employer must specify at least 4 of the following things that the employer did not provide to employees in the baseline:
 - (a) protection for employees from adverse action or discrimination on the grounds that the employee disclosed family and domestic violence;
 - (b) access to unpaid family and domestic violence leave;
 - (c) access to paid family and domestic violence leave (in addition to the paid family and domestic violence leave provided for by the National Employment Standards);
 - (d) emergency accommodation assistance for employees experiencing family and domestic violence;
 - (e) mechanisms for employees experiencing family and domestic violence to request to move to a different workplace location;
 - (f) financial support for employees experiencing family and domestic violence;
 - (g) an employee assistance program for employees who are experiencing family and domestic violence;
 - (h) training for key personnel in supporting employees experiencing family and domestic violence;
 - (i) workplace safety planning to support employees experiencing family and domestic violence;
 - (j) procedures for referring employees experiencing family and domestic violence to support services.
- (2) The employer meets the target if, at the end of the target cycle, the employer provides the specified things to employees.

- (3) An employer is only eligible to select this target if there are at least 4 things described in the paragraphs of subsection (1) that the employer did not provide to employees in the baseline.
- (4) The target in this section is an action target.

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Division 5 Gender equality indicator 5—consultation with employees on issues concerning gender equality in the workplace

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Division 5—Gender equality indicator 5—consultation with employees on issues concerning gender equality in the workplace

23 Gender equality target—employee consultation on gender equality issues

- (1) If an employer selects this target in relation to a target cycle, the employer must:
 - (a) at least annually, consult either of the following on gender equality in the employer's workplace:
 - (i) a diversity committee (or equivalent);
 - (ii) an employee representative group or network; and
 - (b) at least annually, consult all staff on gender equality in the employer's workplace using at least 2 of the following methods:
 - (i) employee experience survey;
 - (ii) employee focus groups;
 - (iii) exit interviews.
- (2) The employer meets the target if the employer undertakes the consultation mentioned in paragraphs (1)(a) and (b) at least annually during the target cycle.
- (3) An employer is only eligible to select this target if the employer did not undertake the consultation mentioned in paragraph (1)(a) in the baseline.
- (4) The target in this section is an action target.

**Division 6—Gender equality indicator 6—sexual harassment,
harassment on the ground of sex or discrimination**

**24 Gender equality target—improve policies regarding preventing, reporting
and responding to sexual harassment**

- (1) If an employer selects this target in relation to a target cycle, the employer must specify at least 4 of the following things that the employer's policies did not provide for in the baseline:
 - (a) leadership accountabilities and responsibilities for preventing and responding to sexual harassment;
 - (b) training for managers and non-managers on respectful workplace conduct and preventing and responding to sexual harassment;
 - (c) options for disclosing (internally and externally), and processes for investigating and managing, sexual harassment;
 - (d) processes for anonymously disclosing complaints of sexual harassment;
 - (e) processes relating to the use of non-disclosure or confidentiality agreements in relation to sexual harassment;
 - (f) requirements relating to the frequency and nature of reporting to the governing body and management on sexual harassment;
 - (g) access to trained, trauma-informed support staff or contact officers;
 - (h) access to confidential external counselling to support employees involved in and affected by sexual harassment;
 - (i) protection for employees from adverse action or discrimination on the grounds that the employee disclosed sexual harassment or discrimination;
 - (j) a system for monitoring outcomes of disclosures of sexual harassment, including employment outcomes for those affected and any respondents;
 - (k) reasonable adjustments to work conditions to support employees involved in and affected by sexual harassment;
 - (l) a process for the development and review of the employer's policies relating to sexual harassment, which includes consultation with employees, unions or industry groups.
- (2) The employer meets the target if, at the end of the target cycle, the employer's policies provide for the specified things.
- (3) An employer is only eligible to select this target if there are at least 4 things described in the paragraphs of subsection (1) that the employer's policies did not provide for in the baseline.
- (4) The target in this section is an action target.

**25 Gender equality target—mechanisms for reporting to employer's CEO, key
management personnel and governing body on sexual harassment**

- (1) If an employer selects this target in relation to a target cycle, the employer must specify 3 or more of the following issues that the employer did not report on to the employer's CEO, key management personnel and governing body in the baseline:

Part 3 Gender equality targets

Division 6 Gender equality indicator 6—sexual harassment, harassment on the ground of sex or discrimination

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- (a) identified risks of sexual harassment;
 - (b) prevalence of sexual harassment;
 - (c) the nature of sexual harassment;
 - (d) analysis of trends in sexual harassment;
 - (e) action taken by the organisation to prevent and respond to sexual harassment;
 - (f) outcomes of reports of sexual harassment;
 - (g) consequences for perpetrators of sexual harassment;
 - (h) any use of non-disclosure agreements or confidentiality clauses as an outcome of disclosure of sexual harassment.
- (2) The employer meets the target if, during the target cycle, the employer expands the employer's existing practices for reporting to the employer's CEO, key management personnel and governing body to include reporting on the specified issues.
- (3) An employer is only eligible to select this target if there are at least 3 issues described in the paragraphs of subsection (1) that the employer did not report on to the employer's CEO, key management personnel and governing body in the baseline.
- (4) The target in this section is an action target.