

Ai GROUP SUBMISSION

Productivity Commission

Carer Leave Inquiry

2 September 2022

The logo for Ai GROUP, featuring the letters 'Ai' in a large, white, sans-serif font above the word 'GROUP' in a smaller, white, sans-serif font, all set against a dark purple background.

Ai
GROUP

Introduction

The Australian Industry Group (**Ai Group**) welcomes the opportunity to provide a written submission to the Productivity Commission's Carer Leave Inquiry (**the Inquiry**).

Carers contribute enormously to the welfare and wellbeing of the frail and elderly in the community and their role should be supported in the broader aged care system.

The frail and elderly are some of the most vulnerable members of the community and deserve the dignity of high-quality care responsive to their needs. This includes the care from employees who are informal carers to their loved ones.

Caring for the elderly is a common shared experience in the community and employers generally play a supportive and accommodating role for staff who are required to provide care to family members.

Ai Group notes the terms of reference for this Inquiry direct the Productivity Commission to examine:

- The potential impact of amending the National Employment Standards (NES) in Part 2-2 of the *Fair Work Act 2009* (Cth) to provide for a minimum statutory entitlement to extended unpaid carer's leave for national system employees providing informal care to older people who are frail and living at home.
- The social and economic costs and benefits from any change to the NES, including the impact on residential aged care services, and broader net impact on the economy.

The terms of reference were based on recommendation 43 made by the Royal Commission into Aged Care Quality and Safety (**the Royal Commission**) and set out in its *Final Report: Care Dignity and Respect* (**RC Report**):

Recommendation 43

...the Australian Government should examine the potential impact of amending the National Employment Standards under Part 2-2 of the Fair Work Act 2009 (Cth) to provide for an additional entitlement to unpaid carer's leave.

In making the recommendation, the Royal Commission referred to the objectives of:

- (a) supporting carer wellbeing;
- (b) care recipient wellbeing by supporting preferences to remain at home while receiving informal care;
- (c) alleviating the burden on the aged system in terms of reducing demands on formal care.

How the *Fair Work Act 2009* (Cth) (**FW Act**) recognizes and addresses the role informal carers play in the community for the aged and frail is an important policy consideration with broader social and economic impacts.

Ai Group considers that the FW Act currently provides considerable measures to support informal carers look after the frail and elderly, including through provisions directed at paid and unpaid leave and flexible

work arrangements that specifically contemplate the needs of carers.

Ai Group supports the contributions of informal carers and their employers in Australia's aged system; however, we are not convinced that creating a new statutory entitlement providing for an extended absence from paid employment is the most appropriate arrangement to achieve this.

Given that the vast majority of caring arrangements extend beyond 2 years in a wide variety of circumstances, employed carers need flexibility in the labour market rather than withdrawing from paid employment for extended periods on unpaid leave. This is best facilitated through the FW Act's right to request flexible work arrangements which currently makes employees who meet the definition of a carer in the *Carer Recognition Act 2010 (Cth)* eligible to make such requests.

The regulatory effect on employers is an important consideration with an obligation to provide an extended leave entitlement attracting a range of compliance and productivity costs, not to mention the difficulty in sourcing replacement employees with equivalent skills.

Further, Ai Group is concerned that the creation of a new FW Act entitlement to extended unpaid carers leave could create adverse consequences for the sustainability of the aged care workforce and contribute to reduced earnings for women. Significantly more women are primary carers and further time out of the paid workforce is likely to extend the gender pay gap.

These points are also relevant to any consideration of an extended carer leave entitlement that applies to carers or persons in circumstances other than caring for the aged and frail.

For these reasons Ai Group considers it more appropriate that carers have access to continued flexible work arrangements and a flexible labour market to ensure caring responsibilities can be combined with paid employment.

Current FW Act provisions that facilitate leave and support for carers

The FW Act presently provides a variety of entitlements and measures to support the role of employed informal carers in the community. These are largely contained in the National Employment Standards (**NES**) and include the provision for paid personal/carers leave, unpaid carer's leave and the right for eligible employees to request flexible work arrangements.

Specifically, the FW Act's personal/carers' leave (s.97) entitles an employee, other than a casual employee, to accrue 10 days of paid personal/carers' leave per year that may be taken because the employee is not fit for work because of a personal illness, or personal injury, affecting the employee; or relevantly:

To provide care or support to a member of the employee's immediate family, or a member of the employee's household, who requires care or support because of:

- (i) a personal illness, or personal injury, affecting the member; or
- (ii) an unexpected emergency affecting the member.

Paid personal/carers leave is cumulative. Any unused leave accrues year to year. There is no statutory cap

on the accumulation of the entitlement. This enables employees to access unused portions of leave if and when they need to in accordance with the provisions.

In many instances unused personal/carer's leave can amount to a large number of days for employees who have accrued several years of service with their employer, entitling them to use the leave in circumstances that include caring for the aged and frail who are immediate family or household members.

In addition, the FW Act's unpaid carers leave provisions (s.102) also entitle all employees, including casual employees, to two days of unpaid leave for each occasion when a member of the employee's immediate family, or a member of the employee's household, requires care of support because of:

- (a) a personal illness, or personal injury, affecting the member; or
- (b) an unexpected emergency affecting the member.

Further, the FW Act's compassionate leave provisions (s.104) entitle employees to two days of paid leave for each occasion when a member of the employee's immediate family or a member of the employee's household contracts or develops a personal illness that poses a serious threat to his or her life; or sustains a personal injury that poses a serious threat to his or her life; or dies. In these circumstances employees may take the leave to spend time with the affected member of their family or household as one continuous period, in separate single days, or for a longer period as agreed by the employee's employer. Casual employees are entitled to two days of unpaid leave.

Together, the FW Act's paid personal/carers leave, unpaid carers leave and compassionate leave provisions have clear application to many circumstances when employees are required to be absent from work to:

- care for an elderly family or household member who may be experiencing an illness, injury or unexpected emergency that may be associated with, or otherwise, the member's elderly or frail condition; or
- spend time with an elderly or frail household or family member who has contracted a personal illness or sustained an injury, including those associated with the member's elderly and frail condition.

Accordingly, while the RC Report found that the FW Act did not specifically provide for an extended unpaid leave entitlement for the purpose of caring for a person who is elderly and frail, this should not be seen as the FW Act being deficient by providing no leave entitlement for employees to care for an older family member. The FW Act does so in a way that provides a level of equity with the many other wide-ranging circumstances where employees need to be absent from work to provide care.

In addition, the FW Act provides for a range of protective mechanisms to guard against unfair or unlawful treatment against employees who may require time off to attend to caring responsibilities. These include:

- the FW Act's General Protections in Chapter 3, Part 3-1 which prohibit an employer from taking adverse action against an employee because the employee has exercised a workplace right in relation to requesting a flexible work arrangement (s.341(2)(i)), accessing personal/carer's leave (s.341(1)(a)) or because the employee has caring responsibilities (s.351); and
- the FW Act's unfair dismissal provisions in Chapter 3, Part 3-2.

Commonwealth and State and Territory anti-discrimination legislation also exist and provide additional protections for employees who are carers and require time off work or flexibility around working hours. Specifically, these provisions provide employees with remedies such as compensation and/or reinstatement if they experience detriment at work by their employer because of their caring responsibilities.

Accordingly, the current FW Act framework recognizes and accommodates employees who are carers both through explicit paid entitlements and through protective measures to guard against detriment should those entitlements be utilised.

Flexible working arrangements a better alternative to promote than extended leave

The ability to combine paid employment with ongoing caring responsibilities is an important social and economic objective.

Workforce connection and participation are an important part of social inclusion and wellbeing. Performing paid work can also enhance one's self-worth and financial well-being. Carers may also welcome periods of paid employment as a way of spending their time differently to the demands of caring for others (often on an unpaid basis). It is important that support and recognition for employed carers, as recognized by the Royal Commission, is also directed at their social and financial wellbeing.

Some 87% of primary care relationships last for longer than 2 years with a significant portion of primary carers spending 20 hours or less per week in their primary care role (see **attached** *Labour Market Characteristics of Australian Carers, Ai Group Research and Economics, July 2022*). These characteristics make an entitlement to extended unpaid carers leave of limited practical benefit both in respect of the leave itself and the income foregone. A more appropriate approach would be to ensure that employed carers have continued access to evolving flexible work arrangements that assist them combine caring responsibilities and paid employment for the relevant care period.

A key legislative enabler to support flexible work arrangements for carer is the current right for eligible employees to request a change in work arrangements in section 65 of the FW Act. The provision entitles eligible employees to request a change in working arrangements from their employer. Under section 65(1A)(b) an eligible employee includes an employee who is a carer, within the meaning of the *Carer Recognition Act 2010 (Cth)*.

The meaning of carer in the *Carer Recognition Act 2010 (Cth)* (**CR Act**) is an individual who provides personal care, support and assistance to another individual who needs it because that other individual:

- (a) has a disability; or
- (b) has a medical condition (including a terminal or chronic illness); or
- (c) has a mental illness; or
- (d) is frail and aged.

Persons are not considered carers under the CR Act in respect of care, support and assistance he or she provides:

- (a) under a contract of service or a contract for the provision of services; or
- (b) in the course of doing voluntary work for a charitable, welfare or community organization;
or
- (c) as part of the requirements of a course of education and training.

A person is also not a carer merely because s/he is the spouse, de facto partner, parent, child or other relative of an individual, or is the guardian of an individual; or lives with an individual who requires care.

In addition to carers under the CR Act, other eligible employees entitled to request a change in work arrangements include employees:

- who are parents of a child who is of school-age or younger;
- who are 55 years of age or older;
- who have a disability;
- who are experiencing violence from a member of the employee's family;
- who are providing care or support to a member of their immediate family, or a member of the their household, who requires care or support because the member is experiencing violence from the member's family.

Eligible employees must also have served 12 months of continuous service with their employer before making the request. Eligible employees also include casual employees if they have been employed as a regular casual for a sequence of periods for at least 12 months and have an expectation of continuing employment with the employer on a regular and systematic basis.

An employer who receives a request for a change in work arrangements may only refuse the request on reasonable business grounds. Section 65 (5) does not limit the range of reasonable business grounds that may be relied upon but expressly recognizes the following as reasonable business grounds:

- (a) that the new working arrangements requested by the employee would be too costly for the employer;
- (b) that there is no capacity to change the working arrangements of other employees to accommodate the new working arrangements requested by the employee;
- (c) that it would be impractical to change the working arrangements of other employees, or recruit new employees, to accommodate the new working arrangements requested by the employee;
- (d) that the new working arrangements requested by the employee would be likely to result in a significant loss in efficiency or productivity;
- (e) that the new working arrangements requested by the employee would be likely to have a significant negative impact on customer service.

An employer must provide a written response to the employee's request within 21 days of receiving it, stating whether the employer grants or refuses the request.

Modern awards also impose additional consultation obligations upon employers of employees who make a request under s.65.

A key purpose for the FW Act's right to request a change in working arrangements was for the provision to provide a framework to facilitate discussions between eligible employees and their employers about their need to change their working arrangements in the employer's business operations. This facilitative framework of section 65 is important and must be preserved to ensure an appropriate balance between the interests of employers in maintaining a business operation and the individual needs of the eligible employee.

In reviewing the FW Act in 2015, the Productivity Commission received proposals for additional statutory obligations on employers to reasonably accommodate the request in addition to an employee's statutory right of appeal. In response, the Productivity Commission found:

Regulatory measures that provide avenues for complaints or appeals by people denied reasonable flexibility (box 16.7) could help, but this may arise primarily from the fact that such regulations would signal the unacceptability of certain conduct by employers. The regulations themselves would most likely be only weakly enforceable given the difficulty of establishing what is reasonable.¹

It is important that the FW Act's right to request flexible work arrangements are clearly understood in workplaces as capable of covering carers. Given the prevalence of these provisions to be often used by parents of young children, it is important that greater awareness is created about the role section 65 has in promoting the combination of work and caring responsibilities – particularly for the aged and frail.

Ai Group supports further sustained and targeted promotion and awareness raising of the FW Act's right to request flexible work arrangements as they relate to caring responsibilities for the aged and frail.

Additional employer support measures

In addition, we note that some employers adopt a diversity of practices and support measures to assist employees care for elderly family members. These may involve approving periods of additional paid leave, accommodating frequent and/or episodic absences from work (eg part-day absences), providing support through Employee Assistance Programs (EAPs) and applying flexible work policies that may be more generous than the NES in terms of employee eligibility.

Employers of course have different capacities to provides these measures with many providing additional support tailored to individual employee need, while others, such as many larger organisations, may have a more structured or standardized approach.

The variety of practices and support employers can provide should obviously be encouraged. Evolving remote and flexible working arrangements also present opportunity for this to continue.

¹ Productivity Commission, 2015, *Workplace Relations Framework*, Final Report, Canberra, Vol 1, p.563

Flexible and remote working present opportunities for employed carers

Overlaying current legislative mechanisms on flexible working arrangements, is the flexible manner in which both the labour market and working arrangements are evolving. Opportunities for remote and flexible working arrangements should be harnessed to support sustained workforce participation by employed carers that enables them to provide care and receive income from paid employment.

Recent ABS data demonstrate the strong and enduring prevalence of working from home, or 'teleworking', in many Australian businesses. Remote working arrangements obviously increased during the lockdowns of the early COVID pandemic in 2020 and 2021. It is now a core feature of contemporary Australian work patterns:

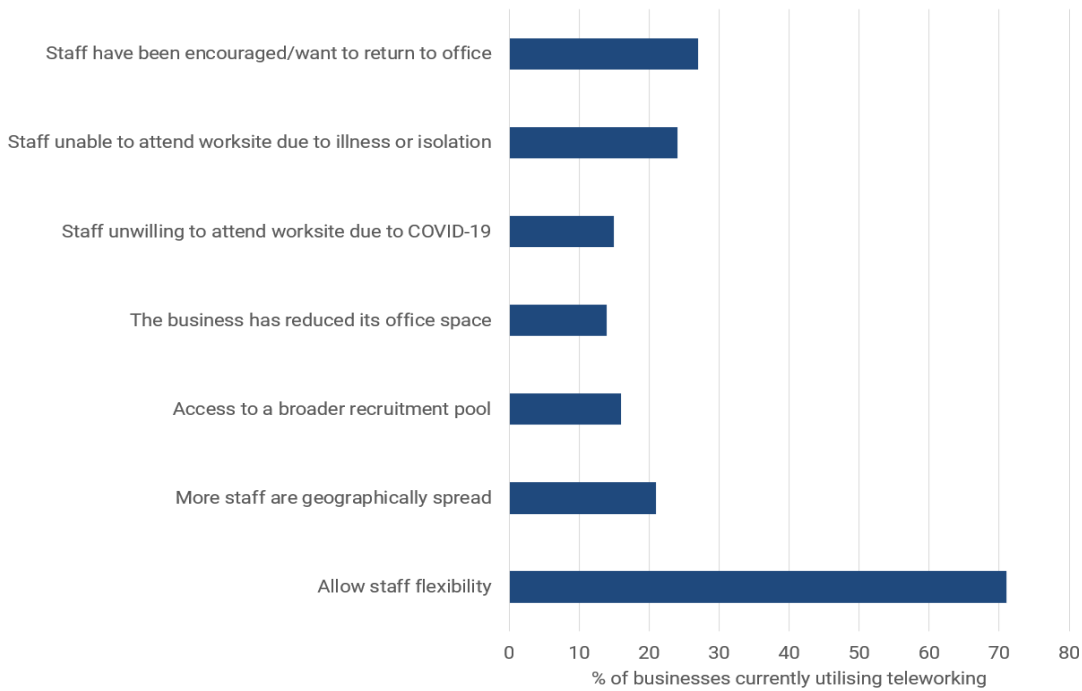
- 34% of all Australian businesses utilise teleworking arrangements for a portion of their workforce;
- 11% of businesses utilise teleworking for nearly all (75-100%) of their workforce;
- 12% of businesses presently intend to increase their teleworking arrangements.²

As seen in Figure 1 below factors affecting working from home arrangements in 2022 are also relevant:

- 71% of businesses utilising teleworking do so to allow increased staff flexibility;
- Geographic diversity (21%) and broadened recruitment pools (16%) are also common factors;
- In some cases, teleworking is used to maintain continuity due to absenteeism and isolation requirements (24%)

² ABS Business Conditions and Sentiments, June 2022

Figure 1 Factors affecting teleworking arrangements, June 2022



Source: ABS Business Conditions and Sentiments 2022

The enduring role of remote working in contemporary work arrangements should be seen as an opportunity for the combination of work and care responsibilities.

Removing current barriers to employer support measures

Related to this, is the need for the FW system to better support contemporary and remote working arrangements in how working hours are regulated through the modern award system. Many modern awards still contain restrictive hours of work clauses that do not enable an easy deviation from standard working hour arrangements at an enterprise, including when requested by an employee. Relevantly, requests for flexible arrangements to accommodate caring responsibilities, including for example, requests to work different start and finish times or to work reduced or compressed hours across a different span of hours, can be met with barriers imposed by restrictive award provisions that can either create additional costs to the employer should they grant the request or simply not permit such working arrangements.

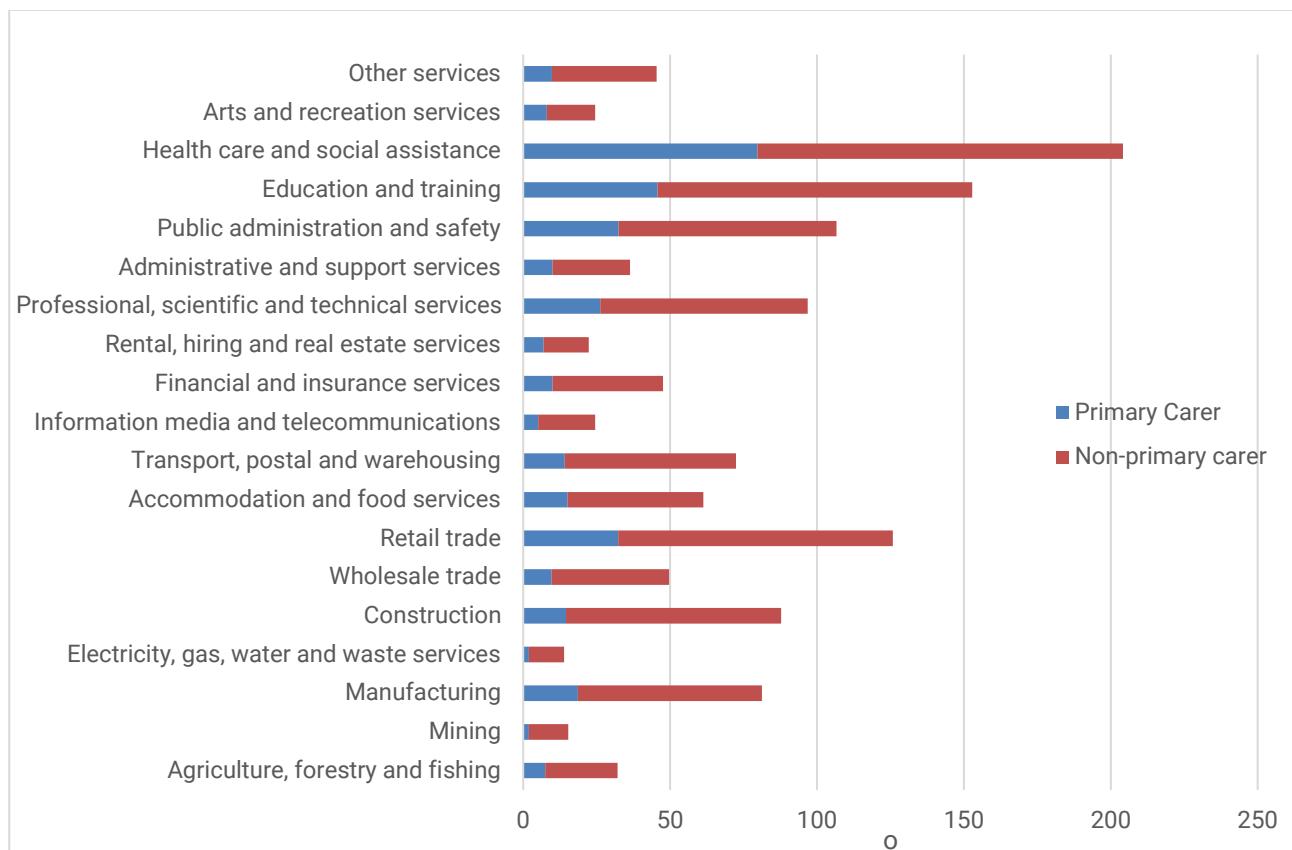
A major barrier to employers granting flexible work arrangements is the common requirement in modern awards that ordinary hours be worked “continuously” which serves to effectively prohibit the adoption of arrangements that enable a working day to accommodate an employee attending to caring activities.

The safety net of terms and conditions should remove restrictive clauses relating to working hours to enable more options for changes in work arrangements that are facilitated by the right to request provisions in section 65 of the FW Act.

Extended leave may further reduce capacity of the current aged care workforce

A significant number of employed primary carers work in the industries of health care and social assistance and education and training, as seen in Figure 2 below.

Figure 2: Number of employees with caring responsibilities by industry, 2018



Creating a statutory entitlement for extended unpaid carers leave is likely to disproportionately impact employers and employees working in the sectors of health care and social assistance sector and education and training.

A sub-set of the health, care and social assistance sector is the aged care sector and its workforce. It is well recognized that the aged care workforce is experiencing significant constraints for a variety of reasons recognized by the Royal Commission. The shortage of skilled labour is of particular concern. An extended unpaid leave entitlement for those employed carers also working in aged care could add further challenges to boost the supply and capacity of the aged care workforce.

In the long-term too, as the Australian population ages and the demand for aged care services increase, an unpaid extended carer entitlement is likely to have more pronounced effects in limiting Australia's paid workforce participation and taxation base needed to support broader aged care and other services.

The impact on workforce shortages, should favour a solution of promoting flexible workforce participation, rather than creating additional unpaid leave for carers.

Extended carers leave for other types of care

The FW Act leave provisions do not generally identify every reason for an absence that may be required by an employee and nor does it create stand-alone entitlements for every type of reason to be absent from work— as important as those reasons may be. In doing so, the FW Act strikes a level of equity by recognizing that employees may experience various important reasons and hardships that necessitate absent from work due to illness or to care for others. These entitlements capture a broad range of circumstances that employees may find themselves in. For example, using paid personal/carers leave to look after a child with an ongoing or serious illness.

We note that the terms of reference to this Inquiry extend to considering the application of paid leave or long-term unpaid carer's leave for other types of care, such as caring for people with disability or having temporary or terminal illness.

This would be a radical expansion of current entitlements. It would extend an entitlement to employees providing care to persons for a wide array of reasons. This is not justified by pressures in the aged care system.

Given the diverse array of caring circumstances and relationships, Ai Group considers that measures to promote sustained workplace flexibility and workforce participation are preferable to creating additional leave entitlements for employees to be absent from work beyond current leave provisions that have clear relevance and application. We also note, as described earlier, that the FW Act's current section 65 specifically grants a right to request a change in working arrangements for employees who have a disability and for a broader range of care recipients as defined in the CR Act.

Ai Group does not support additional paid leave entitlements that would be funded by employers. Employers will soon be required to fund paid leave for employees experiencing family and domestic violence leave of 10 days per year if the *Fair Work Amendment (Paid Family and Domestic Violence Leave) Bill 2022* (Cth) recently introduced into Parliament is passed. There are many socially important and legitimate reasons as to why employees are unable to attend work, but it is not sustainable or fair for employers to fund each occasion. Australian employers are already required to provide a range of other paid leave entitlements. In particular the obligation to provide current quantum of paid annual leave and long service leave entitlements exceed what most overseas jurisdictions provide.

The current requirements of section 65, viewed in the context of the broader safety net and other protections under workplace relations laws, strike a fair balance between the needs of employees and the perspective of employers.

Equity with other community-service leave entitlements

In the context of the Royal Commission identifying how an extended leave entitlement could alleviate pressures on the aged care system, it is important to consider the FW Act's existing community service leave provisions.

The recognition that employees are required to be absent from work to attend to community service

activities is reflected in the FW Act's community service leave entitlement (s.108). Generally, this entitlement is limited to an absence from work, rather than a paid entitlement (with the exception of provisions relating to jury service) and is attached to the employee engaging in an eligible community service activity.

An eligible community service activity is based on whether an employee is required to attend jury service as directed by the Government, or engage in a voluntary emergency management activity as part of the employee's membership or membership-like association with a recognized emergency management body. An employee engaged in a voluntary emergency management activity must be engaged in an activity that involves dealing with an emergency or natural disaster as requested by the emergency management body, or where it would have been reasonably expected for the emergency management body to make the request but they were unable to do so.

The entitled absence is not subject to a time limitation but requires the employee to advise the employer of the period or expected period of the absence, amongst other things. Absences under the FW Act's community service leave provisions are generally limited by the nature of the leave's eligibility provisions and the practical likelihood that employees engaging in a voluntary emergency management activity are provided with specified tasks for specified durations.

Further, the Explanatory Memorandum to the FW Bill 2008 in introducing community service leave stated at paragraph [75]:

Given that emergency services leave is unpaid and there is not a large group of employees engaged in this activity, the Department expects a minimal impact from this provision

Accordingly, while community service leave provides for an unpaid entitlement of no specified duration, the limited circumstances in which the leave operates and the anticipated small take up of the leave as referred above, are further reasons to consider that community service obligations on employers that involve authorizing employees to be absent from work are highly targeted with strong parameters.

Extended parental leave is not comparable

Ai Group notes that the Royal Commission received proposals to consider an extended carer leave entitlement based on the FW Act's unpaid parental and adoption leave provisions. These provisions are contained at sections 70 to 79A (inclusive). Unpaid parental/adoption leave provides no meaningful basis to support the creation of a new unpaid carer's leave entitlement or to be used as a model for such an entitlement. The two forms of leave serve are not comparable.

Unpaid parental leave was conceived based on preserving the employment relationship for parents (largely women) to care and look after a newborn, but in reference to certain common time-based milestones. The rationale for the duration of the leave was largely based on a mother's recovery from birth, recommended World Health Organisation (WHO) guidelines for 12 months of breastfeeding and a period for bonding. Recovery from birth and breastfeeding in particular, are generally activities that have some definite end-point reflected in the duration of the leave entitlement.

Unlike people who are aged and frail, infants become less dependent on high-needs care and supervision and less dependent on the specific care provided by a particular person (eg when babies are weaned from mothers who may be breastfeeding). The care of children also regularly involves the use by parents of the early childhood education and care system followed by the broader education system for school-aged children. In many respects, current Government policy priorities now emphasise the importance of an earlier entry by children to the education system (whether that be early childhood education or pre-school) for the purpose of increasing workforce participation for parents and to instill greater equity measures for early childhood development.

As such, the care of babies and children is an activity that continually evolves and changes as the child grows and where legal and policy settings around the care and education of children are set accordingly. This is different to the intended objective of an unpaid carer leave entitlement alleviating the burden on the aged care sector by delaying entry for an elderly person to enter an aged care facility and where the intended social benefit is gained from extended caring arrangements for as long as an elderly person can remain at home.

Caring for the frail and elderly has no common or foreseeable duration appropriate for a leave entitlement

The elderly and frail may require care for a wide range of reasons that may or may not be linked to age itself. There are circumstances when an elderly person may live independently but may require temporary care as part of recovering from an illness. There are also circumstances where an elderly person may require ongoing, high-needs permanent care until the end of life – whenever that may be.

As referred earlier, 87% of primary care relationships last for longer than 2 years and that a significant percentage of primary carers, care for a period between 10 -24 years (**see attached**). Caring for the elderly and frail has no common or known end point due to the wide variety of caring circumstances that exist. This makes it near-impossible to establish a new leave entitlement of a specific duration that would, with certainty, meet a desired objective of delayed entry into an aged-care facility of elderly people across the country.

Accordingly, the wide array of caring circumstances for the frail and elderly do not support the creation of a new extended carer leave entitlement and nor should the FW Act's unpaid parental leave entitlement be a basis for providing any model.

The role of Home Care Packages

The role of Home Care Packages should also be considered as a recent Government intervention to alleviate the burden on the aged care system and reduce the need for informal carers to be absent from work on extended leave. While the Royal Commission recommended improvements to the Home Care Packages, the in-home delivery of aged care services both assists in the deferral of the elderly and frail entering aged care facilities and supports other family members in providing care to their loved ones. Implementation of the Australian Government's improvements to Home Care Packages should be a further

consideration that may alleviate the need for an extended leave entitlement for informal carers.

The impact of extended leave on employers

The regulatory and costs impact on employers to accommodate an employee's absence on extended unpaid carer leave is an important consideration.

Cost impacts for employers would include:

- the recruitment and training costs for additional persons to cover the absence, (if a replacement person can indeed be found, noting that this is extremely difficult for certain roles with specialized skills).
- the loss of productivity and disruption to workplace relationships and workflow as result of the employee's absence with the need for the employee's work function to be re-allocated to existing staff or simply not performed by others in the business;
- costs associated with the impact of delaying productivity or technological improvements in the business associated with the return of the employee;
- the potential loss of revenue in losing an experienced and trained employee for an extended period, regardless of whether a replacement employees may or may not be found;
- compliance costs in ensuring policies and practices meet any change in the FW Act's NES; and
- administration and opportunity costs involved in personnel managing the employee's absence and replacement worker.

The costs are also most likely to be disproportionately experienced by those sectors with a higher prevalence of employed primary carers.

Caring work is highly gendered and extended leave will further reduce earnings of working women

An extended leave entitlement is likely to further reduce earnings for working women.

As Figure 3 shows there is a large gender disparity in terms of primary caring roles: 5.9% of working age women are primary carers, compared to 1.9% of men. Any extended carer leave entitlement would therefore most likely be used by employed women.

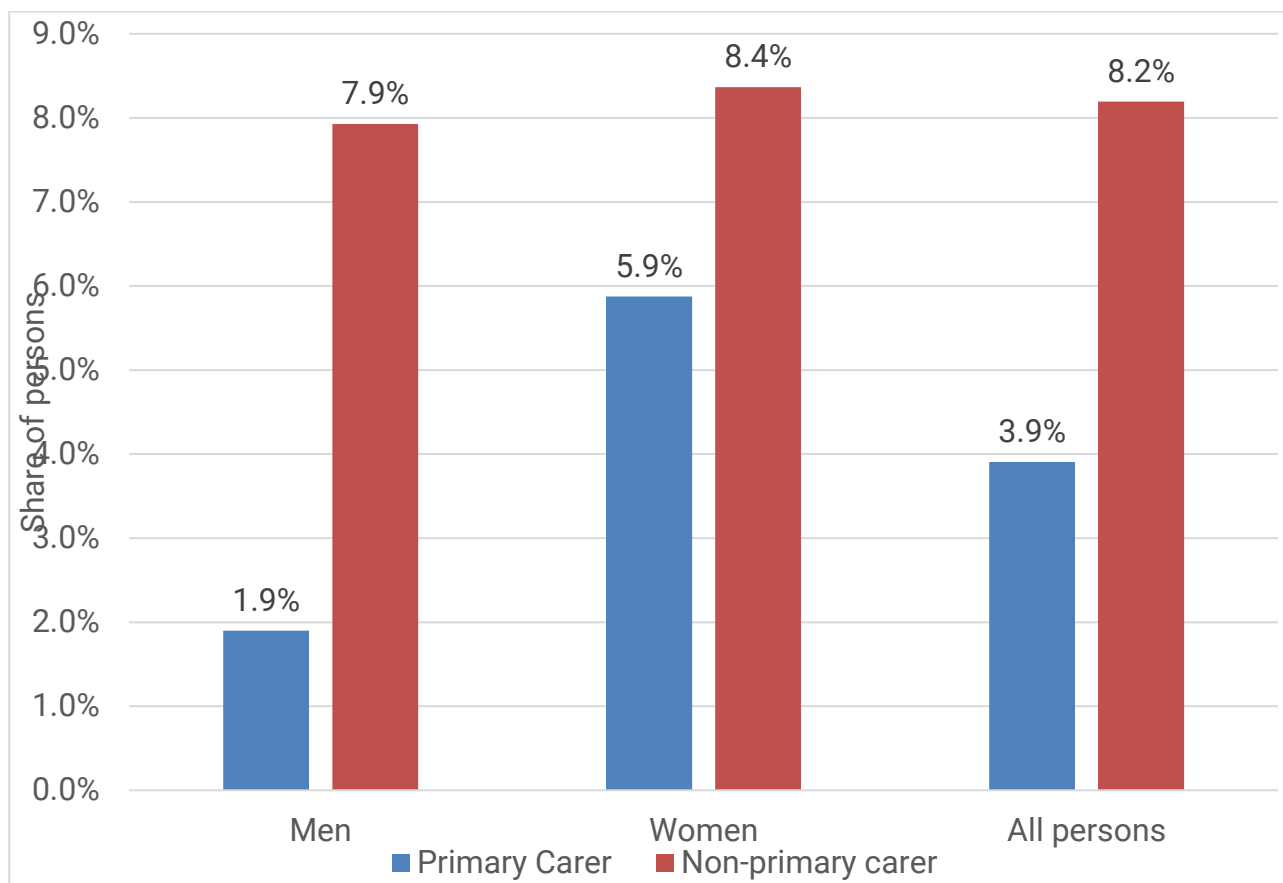
It has been well established that time out of the workforce to attend to unpaid caring responsibilities is one of the key reasons contributing to the gender pay gap.³ If the intended purpose of the extended leave entitlement is to alleviate pressure from the aged care system, as identified by the RC Report, it can be assumed that the purpose of the entitlement is to increase the number of employees assuming

³ KPMG, *She's Price(d)less, The economics of the gender pay gap, 2022*

responsibility for providing care by withdrawing from the workforce on extended unpaid leave. We consider that this is likely to have a strong gendered impact such that more women are likely to use unpaid leave, including to satisfy family or community expectations that they should do so. As such, a legislative entitlement to take extended leave may provide a signal that women *should* take the leave entitlement to attend to unpaid family responsibilities, notwithstanding that the FW Act's flexible work arrangements and the role of Home Care Packages to enable carers to continue working without withdrawing from paid employment.

The gendered impact of an extended entitlement should be further reason to reconsider this as the appropriate means to support employed carers.

Figure 3: Share of working age persons (15-64 years) by carer status and gender, 2018



Conclusion

The aged care system needs to support the role and work of informal carers. Given the vast array of caring circumstances and extended duration of caring relationships, Ai Group considers it more effective and appropriate for carers to have continued access to flexible work arrangements and a flexible labour market. Creating an extended entitlement to carers leave would likely add to constraints for care workforces and

create additional and unfair costs burdens for employers. The gendered nature of care would also likely see reduced earnings for female workers who are more likely to access the leave.

ABOUT THE AUSTRALIAN INDUSTRY GROUP

The Australian Industry Group (Ai Group®) is a peak employer organisation representing traditional, innovative and emerging industry sectors. We are a truly national organisation which has been supporting businesses across Australia for nearly 150 years.

Ai Group is genuinely representative of Australian industry. Together with partner organisations we represent the interests of more than 60,000 businesses employing more than 1 million staff. Our members are small and large businesses in sectors including manufacturing, construction, ICT, transport & logistics, engineering, food, labour hire, mining services, the defence industry and civil airlines.

Our vision is for thriving industries and a prosperous community. We offer our membership strong advocacy and an effective voice at all levels of government underpinned by our respected position of policy leadership and political non-partisanship.

With more than 250 staff and networks of relationships that extend beyond borders (domestic and international) we have the resources and the expertise to meet the changing needs of our membership. Our deep experience of industrial relations and workplace law positions Ai Group as Australia's leading industrial advocate.

We listen and we support our members in facing their challenges by remaining at the cutting edge of policy debate and legislative change. We provide solution-driven advice to address business opportunities and risks.

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