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How Public Sector Unions Advance Gender Justice and Health Worker Rights

Australia's Gender Pay Equity Legislation

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Executive Summary

The persistent undervaluation of women's work remains a major driver of gender pay inequality globally. Women are concentrated in health, care, education, and social service occupations, which are essential to societies and economies but continue to be systematically underpaid and undervalued. In health and care, where women make up two-thirds of the workforce, the gender pay gap reflects longstanding assumptions that care work is an extension of women's domestic roles rather than skilled professional labour. Public service, health, and social service unions have been central to challenging this undervaluation through collective bargaining, advocacy, and evidence-based campaigns. Evidence has also shown that collective bargaining is one of the most effective mechanisms for addressing both gender pay gaps and the underlying structural inequalities that sustain them. Building on this evidence base, it is important to analyse how union-led organising, advocacy, and collective bargaining can help address the systemic undervaluation of women's work and contribute to closing gender pay gaps.

This case study examines the landmark 2025 Australian Fair Work Commission ruling, which found gender-based undervaluation across five female-dominated sectors. It also marked several historic advances, including the removal of the requirement to identify a male comparator in pay equity claims, recognition of lived experience and culturally grounded knowledge as remunerable skills, and the adoption of broader approaches to assessing the value of work in feminised occupations. While a significant legal milestone, the ruling was a major union achievement. Led by the Australian Services Union (ASU), the outcome was a result of sustained organising, worker-led evidence, strategic litigation, coalition building, and public advocacy involving workers, researchers, employers, governments, and international allies.

Several lessons emerge from this experience. Long-term organising, strong worker participation, broad coalitions, and robust evidence were critical to success. The campaign also demonstrated the importance of linking pay equity to wider issues of workforce sustainability, public funding, gender equality, and social justice. Overall, the Australian experience shows that addressing the historical undervaluation of women's work requires more than legal reform alone. Meaningful progress depends on sustained collective action and engagement of workers, strategic partnerships, and political commitment, offering valuable lessons for advancing pay equity and recognition in health, care, and other women-dominated sectors.

1. Background

Gender-based undervaluation of work

Globally, labour markets are structured based on discrimination and exploitation, especially along gendered, racial and class-based lines [1,2]. Work predominantly performed by women, especially those from the lowest socio-economic groups, remains systematically undervalued, underpaid or unpaid [3]. Across economies, women workers are concentrated in sectors such as health and care, education, and domestic work, which tend to be paid less despite their high social and economic value [4, 5]. Women also shoulder a disproportionate share of unpaid care responsibilities in homes and workplaces, further limiting their access full-time roles, career progression and higher-paying roles [6]. This undervaluation also stems from long-standing assumptions that care work is an extension of women's "natural" domestic role rather than skilled, professional labor.

This systematic devaluation of women's work is visible through unequal pay for equal work and gender pay gaps, which are disparities in earning linked to occupational segregation, discrimination and bias in recruitment, promotion, and remuneration practices, and differences in working patterns linked to unpaid care and family responsibilities [5, 7]. Globally it is estimated that women earn on average around 20% less than men with this difference being even more stark in the health and care sector [3].

The health and social care sector is one of the largest and fastest growing sectors, globally employing more than 234 million workers [6]. Women make up 67% of this workforce but remain overrepresented in caregiving roles, including nursing and long-term care [3, 8]. While estimates suggest that women contribute US$3 trillion annually to global health, nearly half of this contribution is through unpaid and often unrecognised care work [8]. Coupled to a growing body of research documenting persistent wage gaps between women and men in the health and care workforce across cadres and countries, women health workers have been pushing for reforms to address pay inequities and widespread discrimination [9-11].

Public service unions and the fight for fair wages

Social service, health and public service unions have been key actors in driving progress on gender pay gaps, securing real improvements in wages and working conditions for millions of women workers through persistent organising, bargaining, and collective action [12-14]. In this regard, unions have also played a central role in advancing the principle of "equal pay for work of equal value," moving beyond equal pay for identical jobs to challenge the systematic undervaluation of work predominantly performed by women [15-18]. Through bargaining, workplace audits, job evaluation schemes, and pay transparency initiatives, unions have helped expose discriminatory pay structures and secure wage increases in female-dominated sectors, including health, social care, and education [15-18].

Linked to this is evidence that centralized bargaining and unionisation promotes more transparent and equitable wage-setting, while shifts toward individual bargaining (where unions and collective bargaining are not in place) are associated with widening gender pay gaps [19-20].

Importantly, collective bargaining can address structural forms of inequality that conventional wage-setting often overlooks, including undervaluation of work performed predominantly by women and the motherhood penalty associated with caregiving responsibilities [21-22].

These cases offer valuable practice-based evidence on the role of unions and the pathways, actors and strategies used to address the structural undervaluation of women's work and close gender pay gaps.

2. Pay equity in Australia

This case study examines the landmark 2025 ruling of the Australian Fair Work Commission on pay equity for workers across five women dominated occupations and sectors, which includes those in the health and care sector [23]. While the decision represents a significant legal milestone for pay equity, it is equally a major union victory, reflecting years of sustained organizing, advocacy, evidence generation, and collective campaigns [24, 25]. This brief documents the key lessons from unions' experiences in driving and securing this landmark outcome, highlighting the contextual factors that contributed to the win, the actors involved, and key actions and strategies used by the union that led to the ruling for more gender-equitable wages.

3. What was achieved?

In 2025 Australia's Fair Work Commission, following a review of evidence, ruled that award pay rates do not reflect the value of work undertaken by workers in five women dominated occupations and sectors and ordered substantial pay increases to address this systemic gender-based discrimination [23]. The five professional groups assessed were:

- Aboriginal and Torres Strait Islander dental assistants and dental/oral therapists
- Childcare workers
- Professional and support workers in the health industry who are not doctors and nurses
- Pharmacy workers
- Social, community, home care and disability workers

This ruling resulted in several significant achievements that pave the way for redressal of longstanding gendered devaluation of work, contributing to fairer wages and closing of the gender pay gap. These significant achievements include:

Removal of a male comparator

Historically, like in most jurisdictions globally, to prove gendered undervaluation of work through Australia's Fair Work Act, workers in women dominated occupations needed to identify a male

comparator similar in job skill requirements and job responsibility but with higher wages [26, 27]. Finding this "male comparator" however was difficult for feminized professions, such as those in the health and care sectors, and instead further reinforced the devaluation of women's labour.

However, changes to the Fair Work Act meant that the Fair Work Commission can now assess the value of work in female-dominated occupations by examining the skills, responsibilities, and demands without requiring a male comparator [23].

Recognition of lived experience as a remunerable skill

For the first time in history, some workers could have lived experience recognized as a skill that should be remunerated [23]. Unlike existing efforts for Recognition of Prior Learning, which is the formal recognition of skills, knowledge, and competencies gained through previous employment, training, volunteering, community work, the recognition of lived experience extends to less visible or invisible skills that are gained through experiential, rather than theoretical or practical ways. This includes skills acquired through a worker's individual identity and lived experience, including culturally grounded knowledge. These less visible skills enable workers to provide meaningful support to others facing similar circumstances by drawing on their own experiences to build trust, demonstrate empathy, and help identify appropriate solutions.

The recognition and remuneration of cultural skills is particularly important in valuing the contributions that Indigenous and multicultural workers bring to communities and can provide an important pathway to advance greater racial and ethnic pay equity.

Pay increases to correct for gender-based undervaluation of work

The Fair Work Commission's decision resulted in minimum wage increases of 14% for pharmacy workers, implemented over three phases starting July 2025 [23]. In addition, for some disability support workers, there has been a 15% increase in salary that will be followed by another 12% increase over the next year, worth approximately $150-190 AUD per week [23]. For the other professional groups proposed pay increases have been put forward, including an increase of 23% for Certificate qualified childcare workers [23].

4. How was it achieved?

Contextual factors

Legal reforms

The Australian Labor Government's 2022 amendments to the Fair Work Act established an important legal foundation for addressing gender-based undervaluation of work [28]. The reforms expanded the powers of the Fair Work Commission and mandated it to assess pay and work value without relying on gender-based assumptions or historical biases. While the legislation did not directly increase wages, it enabled the Fair Work Commission to identify and remedy gender-based undervaluation through its decisions, creating a pathway for pay equity gains in female-dominated sectors and strengthening the institutional framework for closing gender pay gaps [28].

Win in Aged Care

Significant wage increases for aged care workers followed years of union advocacy informed by evidence presented in the Fair Work Commission's Aged Care Work Value Case (2021-2024). This included research exposing the corporatisation of aged care by Centre for International Corporate Tax Accountability and Research (CICTAR) and Public Services International (PSI) as well as findings of the Royal Commission into Aged Care Quality and Safety, where unions and their members presented evidence of understaffing, low wages and turnover [29-32]. The Royal Commission's recommendations included increasing wages, ensuring equal remuneration and recognising care as a human right. The decision contributed to a wider shift in how work value is assessed in feminised occupations, strengthening efforts to address gender-based undervaluation and challenging reliance on market rates as the sole determinant of wages.

Union strength and historical track record

The Australian Services Union (ASU) has a long history of working for fairer pay for undervalued workers through strategic organising, sector-wide coalition building, and advocacy. Its landmark 2010-12 Equal Pay campaign achieved wage increases of 23-48% for community and disability workers, recognising the historical gender-based undervaluation of care and support work [33]. Importantly, the campaign also secured government funding to support implementation of these pay rises, demonstrating the union's ability to combine protest action, legal strategies, and broad sector partnerships to deliver lasting pay equity gains [33]. This history positioned the ASU as a credible and experienced leader in subsequent efforts to address ongoing undervaluation and reform classification and pay structures [34].

Workers voices regarding undervaluation and changes

ASU members, particularly community and disability workers, reported that their roles had become significantly more complex and demanding over time without corresponding improvements in pay [34]. Workers highlighted expanding responsibilities, greater regulatory requirements, and increasingly specialised care and support functions, yet wages remained anchored to outdated assessments of the work's value [34].

New campaign

Despite significant wage gains achieved through the 2012 Equal Pay Case, the ASU recognized that community and disability workers remain undervalued because the existing classification structure, still failed to reflect the contemporary

skills, qualifications, responsibilities, and complexity of their work. In response, the union launched the *Skilled, Respected, Equal* campaign in 2024 to modernise award classifications, better recognise the value of workers' contributions, and create clearer pathways for career progression and fair pay [33, 34].

Divergent Employer Interests

Large employer associations representing business interests opposed the union's claims, whereas many not-for-profit community organisations, which rely on government funding and directly witnessed the increasing complexity of care work, were more supportive of efforts to address workforce undervaluation [34]. This distinction helped the ASU build alliances with sector employers who recognised the need for better pay and recognition for workers.

Catalysts

Serendipitous timing

In June 2024, the ASU initiated a case in the Fair Work Commission seeking to modernise the Social, Community, Home Care and Disability Services Award classification system [30]. Drawing on extensive evidence from members, particularly community and disability workers, the union argued that existing classifications no longer reflected the skills, qualifications, responsibilities, and complexity required in contemporary care and support roles [34].

The ASU's case coincided with the Fair Work Commission's own examination of gender-based undervaluation following the 2022 amendments to the Fair Work Act [34]. This convergence created a unique policy and industrial relations window, as both processes focused on whether female-dominated occupations were being systematically undervalued and underpaid. Having already gathered evidence and built a strong case around the changing nature of care work, the ASU was well positioned to engage with the Commission's case on the broader gender undervaluation agenda [34].

Ironic outcome of the Commission's case

As part of the Fair Work Commission's case, it proposed a classification framework that had been developed with insufficient consultation with workers and their representatives [34]. The proposed structure sought to simplify classifications and place greater emphasis on formal credentials and qualifications as indicators of work value [34]. As a result, there were concerns that for some experienced workers this would mean being classified at lower levels than under existing arrangements, essentially translating into pay cuts. For unions advocating pay equity, this risk was particularly problematic given that the review was intended to address gender-based undervaluation. They argued that privileging formal qualifications over experiential knowledge could inadvertently reproduce the undervaluation of skills commonly exercised in female-dominated care occupations rather than remedy it [34].

> *"This was the sort of turning point in the case where we had to really mobilize protect the pay for literally thousands, hundreds of thousands of care workers to make sure that their pay didn't go backwards."*
>
> *– Kelly Thomas, ASU [34]*

Actions taken

Swift Union response and reaction

The ASU responded rapidly to the proposed Fair Work Commission classification changes by mounting a large-scale evidence base coupled with rapid and widespread organizing [34]. The union collected approximately 80 witness statements from members across the community and disability services sector, documenting how existing and proposed classification frameworks failed to reflect the complexity, responsibility and skill involved in contemporary care work [34]. These testimonies highlighted the increasingly specialised nature of workers' roles that often falls outside conventional value measures of work (e.g., relationship building versus formal qualifications).

Sustained commitment of workers

Workers were the foundation of the campaign. Community and disability workers consistently shared evidence of how their roles were not reflected in existing or proposed pay structures [34]. Through witness statements, consultations, campaign activities, and direct engagement with the Fair Work Commission process, workers provided the lived experience and practical evidence that underpinned the ASU's claims [34].

Endorsement from not-for-profit employer organisations

A distinctive feature of the campaign was the support received from many not-for-profit employers and sector peak bodies [34]. Unlike employer associations that opposed aspects of the claim, many not-for-profit employers recognised that workers' pay and classifications did not reflect the realities of contemporary care and support work. Through initiatives such as the Skilled, Respected, Equal Alliance, employers joined workers in calling for improved recognition and remuneration, creating a powerful cross-sector coalition that strengthened the legitimacy of the ASU's case [33, 34]. This collaboration reflected a shared interest in workforce retention, recruitment, and the long-term sustainability of community services.

ASU legal and communications teams

The ASU's legal and communications teams played critical roles in translating worker experiences into a persuasive industrial and public case [34]. The legal team coordinated evidence gathering, developed submissions, and represented members in Fair Work Commission proceedings, while the communications team amplified workers' stories through media engagement, public campaigning, and stakeholder outreach [34]. Together, they helped frame undervaluation as a structural issue linked to gender and historical assumptions about care work, ensuring the campaign maintained both industrial credibility and public visibility [34].

Academic partners and the 'spotlight tool'

Academic collaborators contributed important methodological expertise by helping make visible aspects of work that are often overlooked in traditional job classifications, as well as providing an independent verification of the circumstances of the sector and the work involved. The earlier development of the "spotlight tool" provided a systematic way to identify and document the range of tasks, responsibilities, emotional labour, problem-solving, and relationship-management skills performed by workers [34, 35]. By illuminating work that is frequently taken for granted in feminised occupations, academic partners supplied evidence that challenged narrow definitions of skill and supported arguments for a broader understanding of work value and pay equity – throughout the ASU's earlier pay equity case, as well as in the recent gender-based undervaluation proceedings.

Media support and public visibility

Media engagement and support helped bring public attention to the issue of gender-based undervaluation and the experiences of community and disability workers [34]. Coverage of the campaign highlighted workers' stories explained the significance of the Fair Work Commission proceedings, and provided a counterweight to arguments opposing reform [36-38]. Sustained media attention also increased public understanding of the value of care work and helped build momentum for policy and industrial change.

Support from federal and state governments

The campaign recognised the importance of securing government support, particularly given that many community services rely on public funding [34]. Governments played a pivotal role in discussions about implementation and funding arrangements, helping ensure that reforms would not result in workers experiencing pay reductions during transitions to new classification structures [34]. Government engagement also reflected growing recognition of the need to address workforce shortages, retention challenges, and the historical undervaluation of care work.

International solidarity through PSI

Longstanding relationships with PSI provided the ASU with access to international networks, expertise, and shared learning on pay equity and care-sector organizing [34]. Through PSI, the ASU built strong relationships with unions in New Zealand and other countries facing similar challenges around the undervaluation of care work [34]. These connections enabled the exchange of strategies, evidence, and campaign lessons, reinforcing the view that pay equity is both a national and global labour movement issue.

5. Lessons and conclusion

The ASU experience demonstrates that achieving pay equity is a marathon rather than a sprint. Success depended on decades of organising, institutionalized knowledge, and previous victories, particularly the union's experience in the 2010-12 Equal Pay Case, which provided the expertise, relationships, and credibility needed to respond quickly when new opportunities emerged.

Coupled to these longstanding efforts, union members were very much the backbone of the campaign. Across thousands of workplaces, members were organised, mobilised, and empowered to share their experiences, take collective action, and lobby their local representatives. Their sustained advocacy elevated the issue as a political concern that governments could not ignore, demonstrating that the outcome was not simply the result of a Labor government being in office, but of strong grassroots organising and collective work from workers and their unions.

Another important lesson was expertise in making connections across issue areas rather than working in silos. The ASU approached pay equity, workforce shortages, funding reform, government engagement, and industrial relations as interconnected challenges. The union was transparent about simultaneously advocating for higher wages and increased government funding, recognising that meaningful pay gains would

require both industrial and political solutions. This approach was reinforced by efforts to support progressive policy environments that were more receptive and equipped to respond to the changes being demanded.

The campaign also highlighted the value of coalition building and collaboration. By bringing together workers, not-for-profit employers, academics, media organisations, governments, and international allies, the ASU was able to build a broad alliance that extended beyond traditional labour movement actors. This diverse coalition strengthened the legitimacy of the campaign and helped counter opposition narratives.

Another key lesson was the importance of robust evidence and effective communication. Worker testimony, expert analysis, legal submissions, and tools that documented the complexity of care work helped demonstrate that undervaluation was structural and highly gendered. Consistent messaging across industrial, public, and political arenas ensured that the case for reform remained clear and compelling.

Finally, the campaign underscored the need for adequate resources and organisational capacity. The ASU's investment in legal expertise, communications, research, and member organising enabled it to pivot quickly when the Fair Work Commission initiated its gender-based undervaluation review. Being prepared allowed the union to transform a potential challenge into a strategic opportunity.

Overall, this case study of the 2025 Australian Fair Work Commission pay equity ruling demonstrates how transformative change in women-dominated sectors is achieved through sustained union organising, evidence-based advocacy, and strategic coalition building. The outcome was not the result of a single legal intervention, but of years of campaigning that challenged the historical undervaluation of feminised work and connected workers' experiences to broader goals of gender equality and economic justice. The ASU's experience highlights several key lessons: the importance of long-term organising, strong worker-led evidence, broad alliances across unions, employers and researchers, and the ability to leverage political and institutional opportunities when they arise. Ultimately, the case shows that unions play a critical role in advancing pay equity and that collective action can drive structural reforms that deliver not only higher wages, but also greater recognition and gender equality for workers in health, care, and other women-dominated occupations.

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