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Women finally a step closer to equal pay after landmark test case ruling: unions

Women who have been traditionally underpaid are a step closer to achieving wage justice thanks to Fair Work Australia's landmark recognition of the need for equal pay for the nation's social and community sector workers, say unions.

ACTU President Ged Kearney said today's preliminary decision was a win for unions representing Australia's social and community sector workers, who do important but undervalued work for the benefit of the wider community.

"Equal pay is a workplace right and a human right, so unions welcome Fair Work Australia's acknowledgement that gender has contributed to the pay gap between the SACS industry and comparable state and local government employment," Ms Kearney said.

"Today's preliminary ruling is a milestone in seeking wage justice for women in all lines of work across Australia.

"Fair Work Australia has recognised the merits of the unions' claim – now the discussion can move onto deciding the amount of a long overdue pay rise. We welcome the opportunity for unions and other interested parties to present more information to the tribunal before it will make a final decision."

Today's ruling comes after the test case in FWA on behalf of about 200,000 workers in the female-dominated SACS sector.

In the test case before the Full Bench of FWA, unions have sought to use the equal remuneration principles in the Fair Work Act to lift the wages of workers who have historically been underpaid because the work has been undervalued because it is often characterised as female work.

"The case is the first to test the new pay equity provisions of the Fair Work Act, which acknowledge the right of men and women to be paid equally for work of comparable value," Ms Kearney said.

"We are talking about workers who are mostly women and who look after the homeless, the disabled, refugees, domestic violence victims, children at risk and other vulnerable people in our society."

"This is difficult and demanding work, yet this female-dominated industry is one of the lowest paid in Australia because it has been historically viewed as 'women's work'. The skills and professional judgement of these 200,000 workers deserve to be recognised and properly valued.

"The awarding of equal pay will help establish a standard for other industries and that is a win for the hundreds of thousands of workers right around Australia whose work has been undervalued for too long."

The ACTU will lodge a further submission with FWA before the full bench of the tribunal meets to again consider the case on 8 August.

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