

Gender Discrimination and Sexual Harassment at JB Hi-Fi

Retail and Fast Food Workers Union

January 2021

Introduction

In July 2020 the Retail and Fast Food Workers Union launched a groundbreaking campaign against Gender Discrimination and Sexual Harassment and major electronics retailer, JB Hi-Fi Group Pty Ltd.

The campaign was developed by women members of RAFFWU who were fed up with the gross exploitation and woeful treatment inflicted on women at JB Hi-Fi.

The first stage of the campaign was to run a survey of JB Hi-Fi workers to collate experiences of gender discrimination and sexual harassment in the workplace. The survey was not an academic exercise, but rather an action of the women leaders of the campaign to develop a dataset to inform the future stages of the campaign.

This document forms the report of the survey and outlines areas for action.

Executive Summary

JB Hi-Fi has an endemic culture of gender discrimination and sexual harassment. Decisive action needs to go well beyond the company responses to the RAFFWU campaign to implement policy and tackle the root underlying causes of the discrimination. Every worker has a right to attend work free from bullying, harassment, and discrimination. JB Hi-Fi has denied thousands of women a safe workplace and just compensation for their labour, which at a corporate level can only be described as deliberate.

As unionists we know the only path to justice in the workplace is through the organised collective action of union members.

Corporate Retaliation to Campaign

The campaign of RAFFWU was met with two approaches by JB Hi-Fi. Firstly, the company purported to ban RAFFWU campaigns in the workplace. It did this initially by implementing a ban on the wearing of RAFFWU merchandise. This issue is now subject to a prosecution by RAFFWU in the Federal Circuit Court of Australia.

The second response was to announce new policies for dealing with discrimination and harassment in the workplace – one directed at customers and the other directed at employees. This approach is obviously welcome but we must recognise it for what it is – far too late and directed at reducing the agitation of workers for lasting largescale change at JB Hi-Fi. What good is a policy when it is not directed at the senior executive who have overseen the culture which has inflicted such harm on thousands of women for many years?

Report on Survey

The following pages report on the actual findings of the survey.

These commence with a series of recommendations of action for RAFFWU members at JB Hi-Fi to consider.

**Please note this report deals with issues of sexual harassment including assault.*

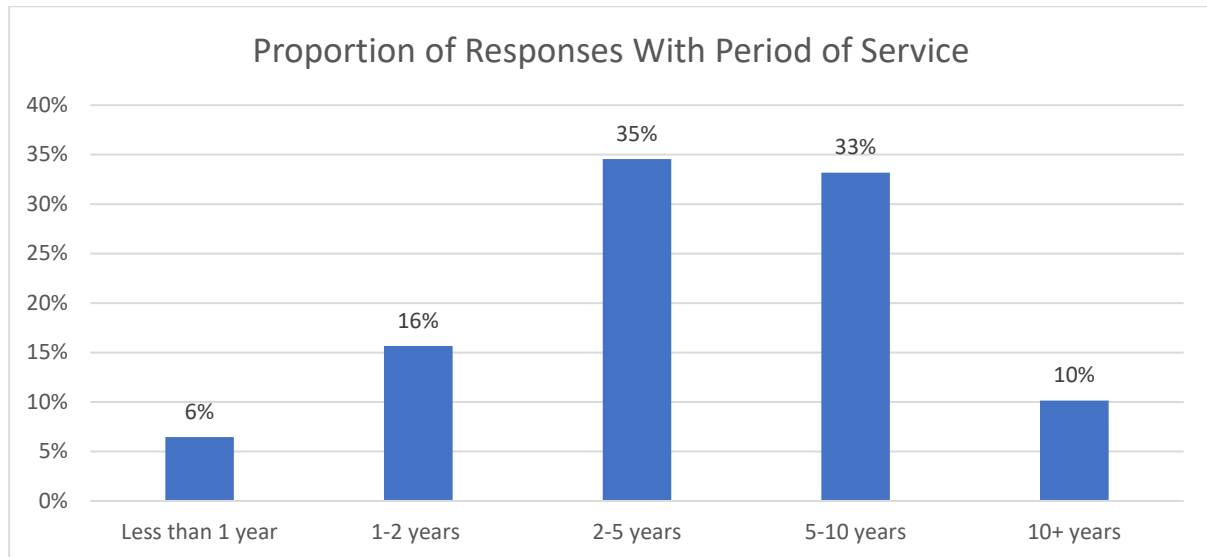
Recommendations for Action

The survey (and this report) informs the action of RAFFWU and its members. The following recommendations are made for all RAFFWU members at JB Hi-Fi to consider as campaign steps:

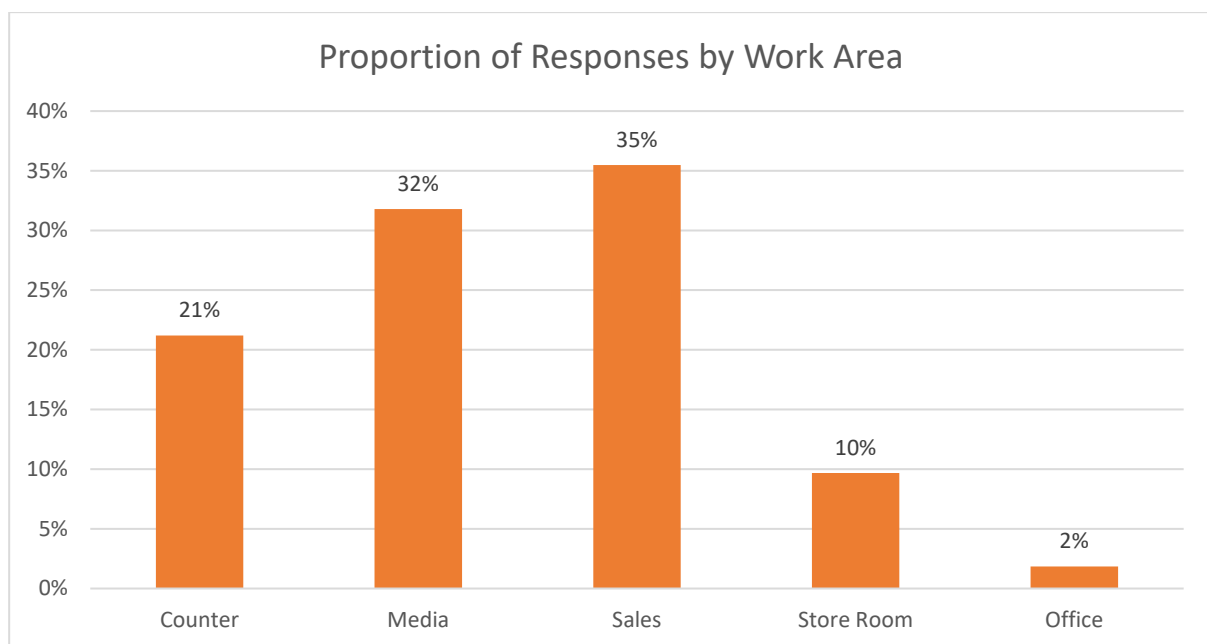
1. Education
 - a. Publish and make widely known the survey report.
 - b. Develop materials confirming results and validating the experience of women in the JB Hi-Fi workplace.
 - c. Develop materials targeted at empowering women in the workplace to organise and take collective action on discrimination and harassment.
2. Restitution
 - a. Prepare a member led campaign to eliminate wage discrimination at JB Hi-Fi
 - b. Pursue JB Hi-Fi for compensation for those harmed by gender discrimination and sexual harassment in JB Hi-Fi workplaces.
3. Action
 - a. Establish a zero tolerance program for reporting of sexual harassment and assault at JB Hi-Fi with structural RAFFWU support, including by way of partnering with appropriate independent organisations, for reporting directly to state safety regulators (Worksafe, Safework) and police.
 - b. Establish an independent program for groups of members to report perpetrators of violence to JB Hi-Fi with members to demand safe work noting they cannot work in areas where they hold a reasonable concern of an imminent threat to their health or safety.
 - c. Build organising campaigns with members to respond collectively and directly to systems of discrimination.

Summary of Survey

Very few respondents gave a spam response with obvious indicators of trolling behaviour. Of 217 total responses, 105 gave their email address, 127 gave their store name and 103 gave their own name. RAFFWU considers this group a good example of survey responses to provide support for the anecdotal and lived experience of members.



The cross-section of respondents captured many workers with substantial periods of service with JB Hi-Fi.



While respondents came from across the store areas of JB Hi-Fi, for those that did identify their gender, the responses from counter (98%) and media (92%) were dominated by women. This accords with anecdote employment in these areas is dominated by women.

Perception of Gendered Work Areas

When it came to identifying the likelihood of women being employed in various roles, the survey confirmed the perception that women are over-represented in counter and media roles, and underrepresented in sales roles.

While the survey did not seek responses on the specific pay arrangements at JB Hi-Fi, we know that sales roles are the only roles which attract commission payments on top of the minimum wage paid to all workers of JB Hi-Fi. The sales commissions are of high value – with some workers earnings hundreds of dollars more per week.

It is beyond doubt that by dominating the sales department with men JB Hi-Fi is instituting a system of gendered wage discrimination. JB Hi-Fi has conducted an analysis of this gender pay gap but not made it available to staff.

Experience of Gendered Harassment

This section deals with questions related to the direct experience of workers:

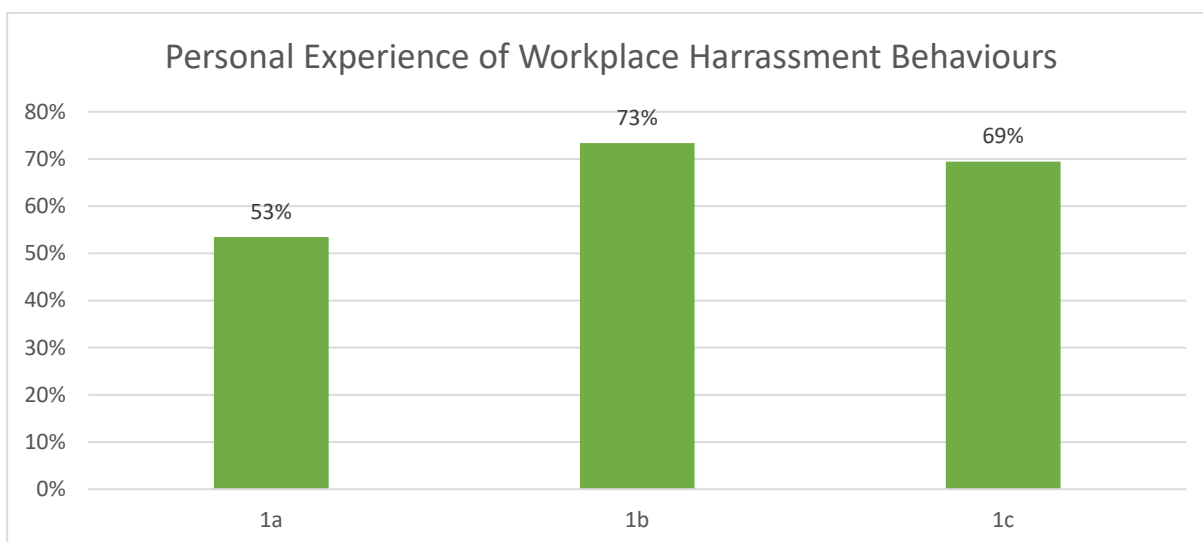
1. At JB Hi-Fi have you ever personally experienced or witnessed others experiencing these behaviours:
 - a. Talk about the hiring of women staff based on their looks or appearance?
 - b. Comments about the bodies of women staff or customers?
 - c. Use of words such as “bitchy” or “bossy” to refer to women staff?

The responses to these questions confirm the anecdote of members.

Almost half of respondents – 47% - had experienced all three forms of harassment.

53% of respondents had experienced (a), 73% had experienced (b) and 70% had experienced (c).

Only 17% of respondents had not experienced any of the forms of harassment meaning a substantial 83% of respondents had experienced one of these forms of harassment.

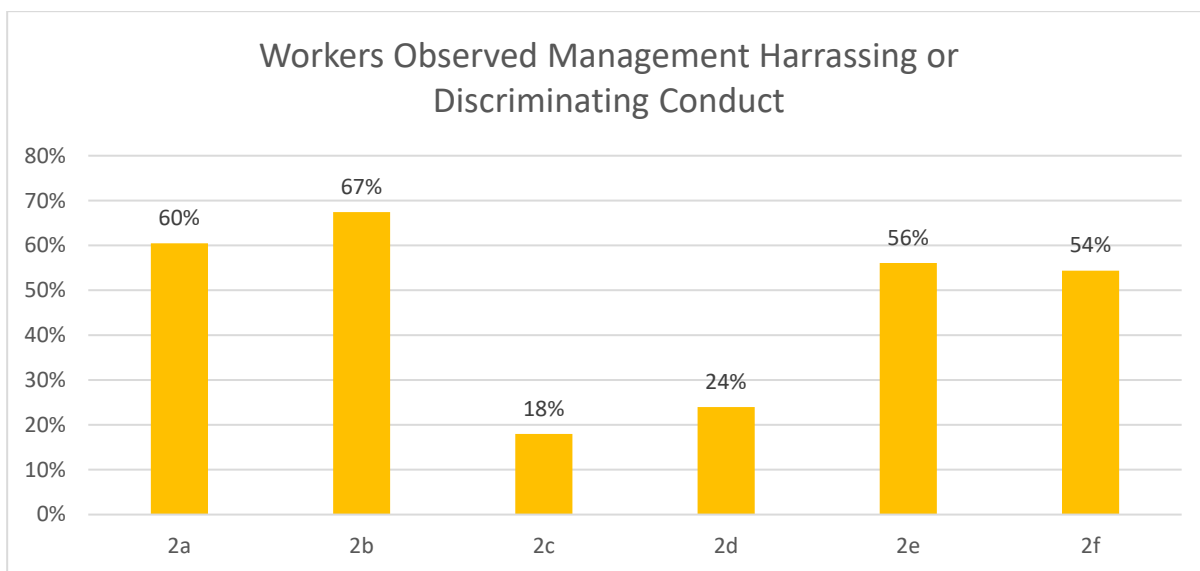


Experience of Management Role in Gendered Harassment

The next set of questions related to what behaviours workers had seen management engage in:

2. At JB Hi-Fi have you ever seen management:
 - a. Accommodate customers who ask to “speak to a man” about a product instead of a woman?
 - b. Fail to address workplace sexism by high-performing Sales staff?
 - c. Ask invasive questions about toilet breaks taken by women?
 - d. Make staff feel ashamed of or unable to discuss having their period while at work?
 - e. Make women feel like they are at fault for conflict with other staff or customers?
 - f. Make women feel incapable for being unable to do work which they have not received proper training for?

A staggering 81% of workers had seen management do at least one of these things. 8% had seen management do all of these things.

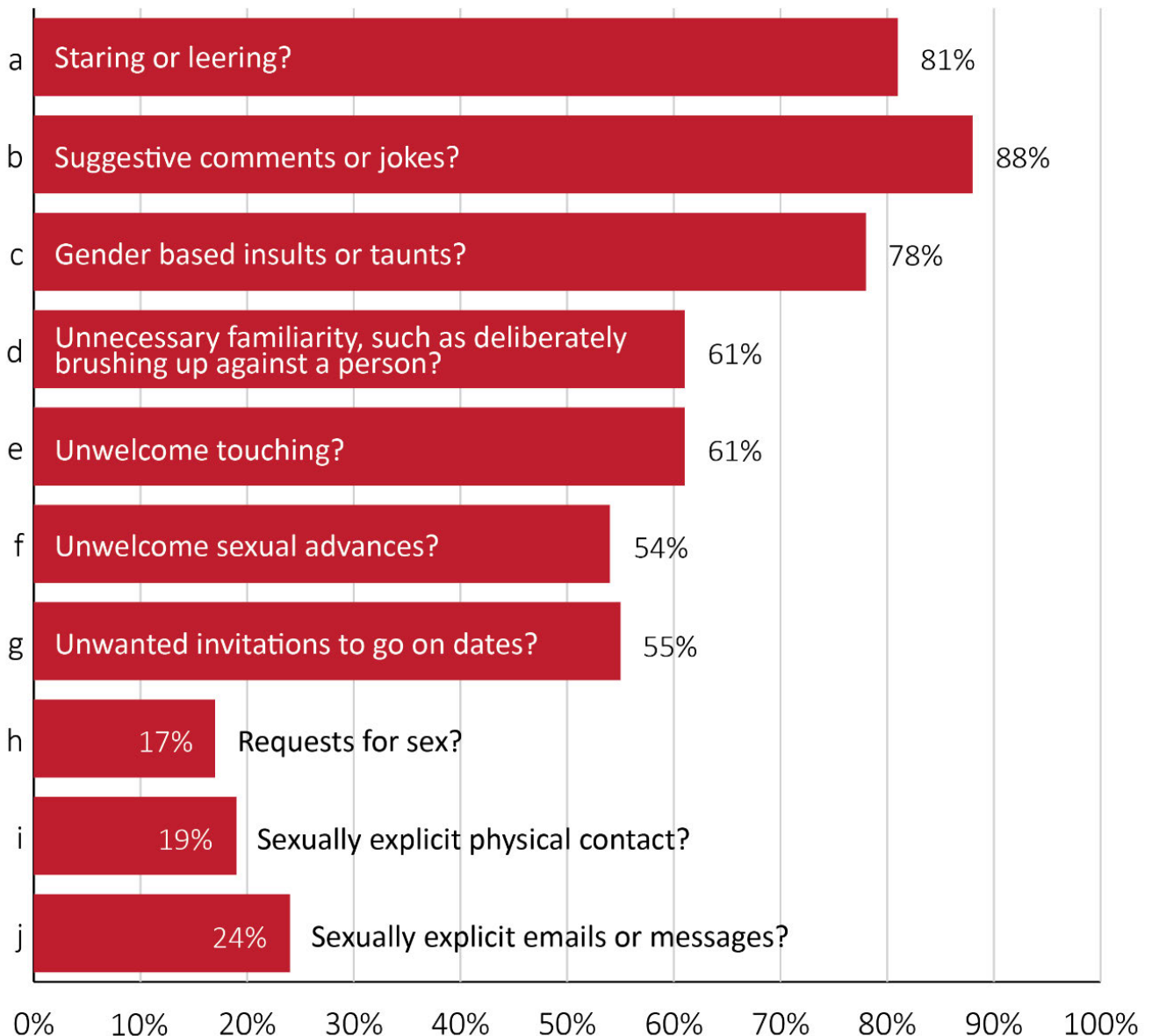


Experience of Sexual Harassment including Assault in the Workplace

The next set of questions related to forms of sexual harassment that workers have experienced in the workplace:

3. At JB Hi-Fi have you ever personally experienced or witnessed others experience these behaviours from other staff or customers?
 - a. Staring or leering?
 - b. Suggestive comments or jokes?
 - c. Gender based insults or taunts?
 - d. Unnecessary familiarity, such as deliberately brushing up against a person?
 - e. Unwelcome touching?
 - f. Unwelcome sexual advances?
 - g. Unwanted invitations to go on dates?
 - h. Requests for sex?
 - i. Sexually explicit physical contact?
 - j. Sexually explicit emails or messages?

Personal Experience of Sexual Harassment Including Sexual Assault in the JB Hi-Fi Workplace

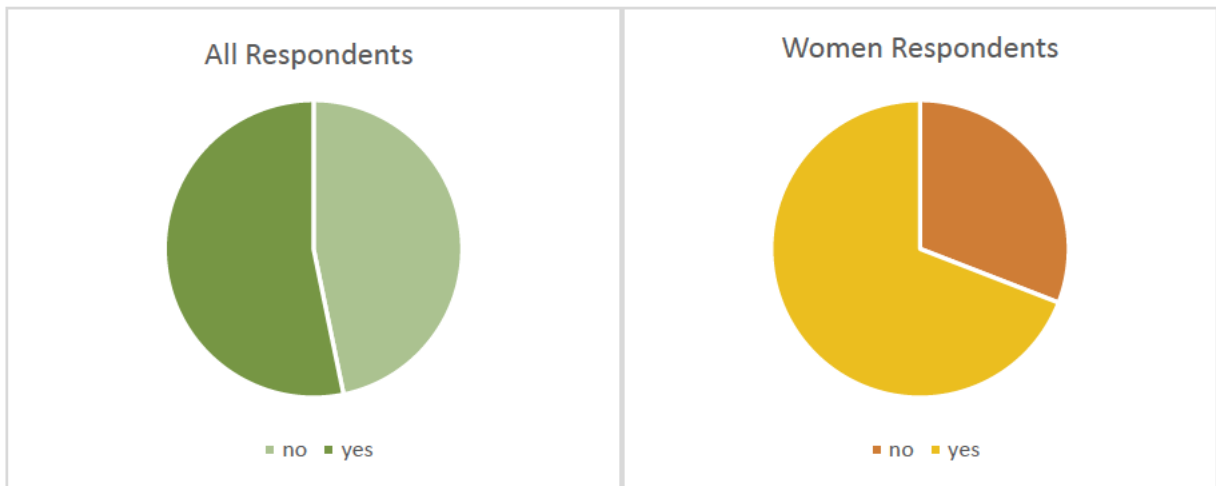


These responses are cause for alarm and immediate action. More than half of responses had experienced unwelcome touching and sexual advances in the workplace. Nearly a quarter of respondents had received sexually explicit emails or messages and almost 20% of responses had experienced requests for sex. 78% of responses had experienced gender based insults or taunts.

Experience of Workplace Trauma

4. Have you ever had an emotional breakdown, panic attack or been physically distressed at, or due to, work because of the way you were treated by a man?

Shown in pie charts below, 69% of women respondents had experienced an emotional breakdown, panic attack or been physically distressed at, or due to, work because of the way they were treated by a man. 53% of all respondents had this experience. This identifies an emergency of medical need in JB Hi-Fi workplaces.



Gendered Barriers to Employment

A number of findings relate to gendered barriers to employment. Lack of access to long term work and promotions furthers the gendered pay division.

For example, in response to the question:

Are men more likely to work for the company long-term than women?

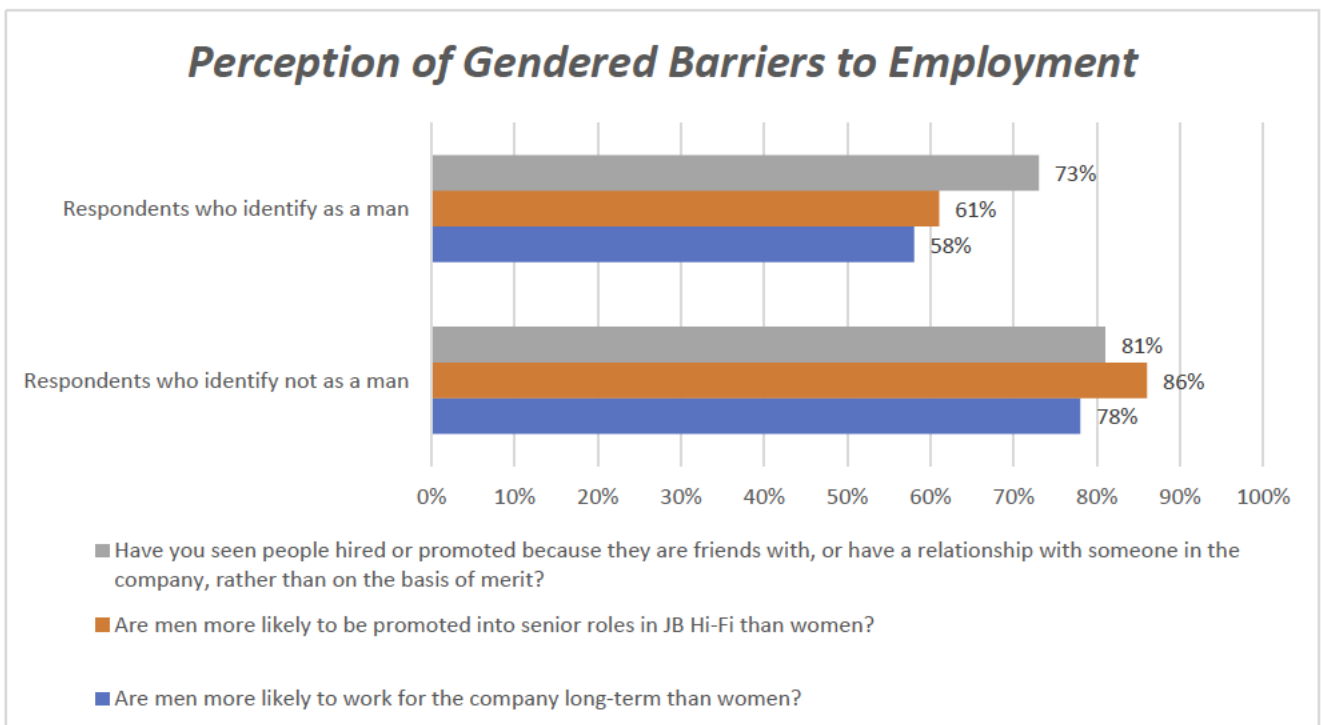
70% of respondents believed this

Are men more likely to be promoted into senior roles in JB Hi-Fi than women?

78% of respondents believed this.

Have you seen people hired or promoted because they are friends with, or have a relationship with someone in the company, rather than on the basis of merit?

79% of respondents have seen this.



In relation to the three issues above, there is broad acknowledgement these are issues across respondents.

Perception of Gendered Demands

In relation to the next set of questions, the perception was strongly felt across gendered lines.

Are men less expected to respond to calls for extra assistance on the Counter when the store is busy than women?

72% of respondents who don't identify as men believe men are less expected to respond to calls for extra assistance on the Counter when the store is busy than women whereas 27% of men believed this.

Are women ever expected to undertake management duties (such as being assigned a manager's pin) without being paid at management rates?

75% of respondents who don't identify as men believe women are expected to undertake management duties (such as being assigned a manager's pin) without being paid at management rates whereas 50% of men believed this. Note this was not posited as in comparison to men but men were still far more likely to believe this did not happen to women.

Are women expected to do work beyond their job description without compensation or acknowledgement?

83% of respondents who don't identify as men believe women are expected to do work beyond their job description without compensation or acknowledgement whereas 41% of men believed this. Note this was not posited as in comparison to men but men were still far more likely to believe this did not happen to women.

Are women expected to do more operational tasks and other odd jobs than men?

76% of respondents who don't identify as men believe women are expected to do more operational tasks and other odd jobs than men whereas 37% of men believed this. Note this was not posited as in comparison to men but men were still far more likely to believe this did not happen to women.

These responses indicate a substantial disconnect between the experience in the workplace and the value given to the contribution and work of women. The evidence provided by women at JB Hi-Fi overwhelmingly suggests that they are expected to do work beyond their job descriptions and that this work goes unrecognised and uncompensated.

Perception of JB Hi-Fi Responsibility for Discriminatory Culture

5. In practice does JB Hi-Fi condone or facilitate a culture of gender based discrimination?

57% of all respondents believed JB Hi-Fi, in practice, condoned or facilitated a culture of gender based discrimination, whereas less than half respondents who identify as a man believed JB Hi-Fi, in practice, condoned or facilitated a culture of gender based discrimination.

Clearly respondents had lost faith and trust in JB Hi-Fi dealing with gender based discrimination. Considering the survey responses this is unsurprising.

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| <p>To report safety issues in your workplace you can contact your state or territory’s relevant body for OH&S. If you work in the retail or fast food sectors you can join RAFFWU for future support.</p> <p>WorkSafe Victoria: Website: https://www.worksafe.vic.gov.au/ phone: 1800 136 089</p> <p>WorkSafe ACT: Website: https://www.worksafe.act.gov.au/ phone: 13 22 81 Email: worksafe@act.gov.au</p> <p>WorkSafe NT: Website: https://worksafe.nt.gov.au/ Phone: 1800 019 115 Email: ntworksafe@nt.gov.au</p> <p>WorkSafe QLD: Website: https://www.worksafe.qld.gov.au/ Phone: 1300 362 128</p> <p>Safework SA: Website: https://www.safework.sa.gov.au/ Phone: 1300 365 255 Email: help.safework@sa.gov.au</p> <p>Safework NSW: Website: https://www.safework.nsw.gov.au/ Phone: 13 10 50</p> <p>Safework Tasmania: Website: https://www.worksafe.tas.gov.au/ Phone: 1300 366 322 (within Tasmania) Phone: (03) 6166 4600 (outside Tasmania) Email: wstinfo@justice.tas.gov.au</p> <p>Retail and Fast Food Workers Union Website: https://raffwu.org.au/ Phone: 1300 723 398 Email: contact@raffwu.org.au</p> | <p>If you or someone you know has been impacted by the contents of this reports or things it may have bought up, we encourage you to contact the services we have listed below. In an emergency, please contact 000.</p> <p>1800RESPECT: Confidential information, counselling, and support service open 24 hours to support people impacted by sexual assault, domestic or family violence and abuse. www.1800respect.org.au 1800 737 732</p> <p>Lifeline: 24/7 crisis support services from trained professionals. Free from mobiles and the cost of a local call from a landline. https://www.lifeline.org.au/ 131114</p> <p>Kids helpline: Kids Helpline is a free, confidential 24/7 online and phone counselling service for young people aged 5 to 25. https://kidshelpline.com.au/ 131114</p> <p>QLife: QLife is a free phone and webchat mental health service available to LGBTQIA+ people from 3pm – midnight every day. https://qlife.org.au/ 1800 184 527</p> <p>Suicide call back service: Suicide Call Back Service is a national 24/7 telehealth provider that offers free professional phone and online counselling for people living in Australia who are impacted by or experiencing suicidal thoughts. 1300 659 467</p> <p>Beyond Blue: Support from trained mental health professionals at the cost of a local call. https://www.beyondblue.org.au/ 1300 22 4636</p> |
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