

KEY POINT BRIEFING

# Gender Pay Strategy and Pay Reporting

## Policy Recommendations

**We call for prompt action to bring Section 19 of the Employment Act (Northern Ireland) 2016 ('the Act') into force, and to introduce a gender pay strategy and associated action plan, in tandem with the introduction of Gender Pay Gap Reporting Regulations ('the GPGR Regulations'), in Northern Ireland.**

### Context:

The Act provides for the making of GPGR Regulations (by 30 June 2017), and requires the publication of a gender pay strategy/action plan within 18 months of the Act receiving Royal Assent. However, to date, these provisions have not been brought into force, nor has any underpinning consultation on draft GPGR Regulations or on a gender pay strategy/action plan been commenced. Our recommendations for Government, summarised below, have been informed by the views of a number of stakeholders, including representatives from trade unions, the women's sector and employer organisations.

### Our recommendations:

**Employment Act (Northern Ireland) 2016: Bring Section 19 of the Act into force, updated as required; and support good practice prior to their enactment.**

Government should urgently bring Section 19 of the Act into force, updated as required - including timelines for compliance with the duties and responsibility for implementing the duties. Government should also take steps to encourage and support good practice by employers to tackle pay inequalities, including prior to enactment of the Act's provisions.

**Gender Pay Strategy: Implement a gender pay strategy and action plan for Northern Ireland, beginning work without further delay to allow this to occur in tandem with GPGR Regulations.**

Government should promptly implement a gender pay strategy and action plan for Northern Ireland to address structural factors within society and the workplace; and should commit to developing and introducing this strategy and action plan in tandem with the implementation of the GPGR Regulations, beginning work without further delay to allow this to occur.

**Gender Pay Gap Reporting (GPGR) Regulations:** Introduce GPGR Regulations; *initially* apply requirements to large employers; review after 5 years; and encourage all employers to address gender pay gaps.

Government should introduce GPGR Regulations as a matter of urgency; initially apply the GPGR requirements to employers with 250 or more employees; review the GPGR Regulations after 5 years, including a review of their general operation and employer threshold size; and encourage, via Guidance, employers not subject to GPGR Regulations to proactively assess and address gender pay gaps.

**Employer Duties:** Require publication of gender pay gap data; consider additional pay gap reporting requirements; clarify provisions of the Act.

Government should require employers to publish data on gender pay gap, bonus gender pay gap, and proportion of males / females receiving bonuses and in each quartile band; consider requiring employers to publish full-time and part-time gender pay gap figures; clarify rationale for limiting requirements to publish data on only ethnicity and disability; clarify the specific intent of the requirement to publish pay data on ethnicity and disability; consider data to be published, versus a wider set of data that employers can collect/ analyse; clarify rationale for the focus on 'employees' and/or 'workers'; require publication of gender pay data on a common fixed date on employer/ government websites; and consider coding of employers by Standard Industrial Classification (SIC).

**Employer Gender Pay Action Plans:** Ensure gender pay strategy supports employer actions; clarify employer requirements; and ensure employers: consult on, and publish action plans widely; consider actions to address ethnicity/ disability pay gaps; and review annually.

Government should ensure that actions required by employers are supported by the content and delivery of a gender pay strategy and action plan for Northern Ireland; and clarify requirements on employers as regards action plans. Government should ensure employers: publish action plans on employer/ government websites; consult with employees on action plans; consider actions to address ethnicity/ disability pay gaps; and review action plans at least annually.

**Guidance, Compliance and Enforcement:** Ensure support for employers; highlight benefits of alignment with existing equality reviews; ensure effective enforcement mechanisms; and consider roles and resourcing.

Government should ensure effective support and guidance for employers; highlight, via Guidance, potential benefits of aligning action planning with existing employer equality reviews; clarify enforcement and compliance provisions and ensure effective enforcement mechanisms; set out advice/ guidance roles and remit, and resourcing; and set out enforcement roles and remit, and resourcing.



For further information visit: [www.equalityni.org/GenderPayPolicy](http://www.equalityni.org/GenderPayPolicy)

AUGUST 2019

