

Ask your employer to:

- Publish a narrative report with the data explaining the reasons for their gender pay gap
- Develop an action plan on how they plan to address the root causes of their gender pay gap
- Provide an additional, more detailed, gender pay gap report ie. by workforce, by pay grade, by race, ethnicity and disability, job description, in starting salaries, using both the median and the mean, and also to measure the full-time and part-time pay gaps separately. Additionally, ask for the number of full time and part-time men and women employees
- Have a transparent pay system
- Carry out regular equal pay audits with the union reps' full involvement, making sure the employer acts on the findings
- Carry out an equality impact assessment of any proposed pay or employment policy changes
- Have an action plan for tackling

Further information**PAY UP campaign – Unite Action Plan**

<https://www.unitetheunion.org/media/dvon4ew/equalities-pay-up-brochure-2023.pdf>

Gender pay gap reporting – a TUC guide for trade union activists

https://www.tuc.org.uk/sites/default/files/GPGreportingguide_0.pdf

Equality and Human Rights Commissions (EHRC) – guidance on the gender pay gap

<https://tinyurl.com/4zw73rr2>

The Chartered Institute of Personnel and Development (CIPD) guidance on the Regulations

<https://www.cipd.co.uk/knowledge/fundamentals/relations/gender-pay-gap-reporting/guide>

Equal Pay portal

<http://www.equalpayportal.co.uk/>

Government Gender Pay Gap website – (explanatory)

<https://www.gov.uk/government/news/view-gender-pay-gap-information>

Government reporting website

<https://www.gov.uk/guidance/gender-pay-gap-reporting-overview>

EQUAL PAY

What does it mean and how do we achieve it?



What is Equal Pay?

Does equal pay mean paying women the same wages as men for doing:

1. The same job? Yes it does.

2. A similar job? Yes it does.

OR

3. The work of equal value? Yes it does.

Equal pay is a legal requirement for all employers, large or small, which has been in place since the Equal Pay Act 1970, and is now, part of the Equality Act 2010.

Providing equal pay is about valuing women's work. It is about having respect for women workers employed in any given sector, industry or job. It is about stopping the continuing unequal pay women face compared to men.

What is the Gender pay gap?

The gender pay gap is the difference in the average hourly wage of all men and women across a workforce. This includes both the mean average (where you add up the amount earned and divide it by the number of workers) and the median average (where earnings are set out from lowest to highest and the mid-point is identified). If more women are in less well-paid jobs, and there is gender-occupational segregation, then the gender pay gap in that organisation is usually bigger.

That is why it is possible to have genuine pay equality built into the pay scheme in an organisation and still have a significant gender pay gap. For example, the NHS has a significant gender pay gap, even though the pay scheme means people doing the same job and work of equal value are required to be paid the same.

Gender pay gaps are not caused by women making the wrong choices or because men work harder, or are more ambitious, but they are purely due to the sex discrimination women face in society and at work, and the undervaluing of many jobs traditionally done by women. Women do not choose to work in low paid jobs, and neither should the need to work part-time be used to justify lower unequal pay.

Women face a 14.3% pay gap, 8.3% if they are full-time workers and 33% if they are part-time workers. In different sectors, workplaces and jobs the gender pay gap can be higher or lower than this average.

What is Gender Pay Gap Reporting?

Since April 2018, public, private and voluntary sector organisations with 250 or more employees have to publish information about the gender pay gap in their organisation. They will have to do this each year. The promised government five-year review of the Regulations is still pending!



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The Regulations mean that Unite reps have access to information about the gender pay gaps in their organisations.

Employers are required each year to publish their:

- mean gender pay gap in hourly pay
- median gender pay gap in hourly pay
- mean bonus gender pay gap
- median bonus gender pay gap
- proportion of men and women receiving a bonus payment
- proportion of men and women in each pay quartile (from the lowest paid quarter of the workforce to the highest paid quarter)

The need for an action plan

However, there is no requirement for employers to neither publish a narrative explaining the reasons for their gender gap nor for an action plan on how they intend to narrow this gap.

Unite reps can ensure employers publish this narrative and action plan.

The definition of pay in Gender Pay Gap reporting

The government has defined pay as including basic pay, paid leave, maternity pay, sick pay, area allowances, shift premium pay, bonus pay and other pay (including car allowances paid through the payroll, on-call and standby allowances, clothing, first aider or fire warden allowances). However, the definition of pay does not include overtime pay, expenses, the value of salary sacrifice schemes, benefits in kind, redundancy pay, arrears of pay and tax credits.

In Northern Ireland the Employment Act (NI) 2016 includes gender pay gap regulations however, these provisions have not yet been brought into force due to administrative

reasons. Despite this, organisations with over 250 employees have been publishing their gender pay gap.

In the Republic of Ireland, the Gender Pay Gap Information Act 2021 requires employers with over 150 employees to publish their gender pay gap.

Why Do We Need Equal Pay Audits?

Despite having equal pay legislation for over 50 years, and despite the pay gap between men and women reducing over these years, there is still a gender pay gap of 14.3% between men and women workers. The pay gap is worse for part-time workers but full-time women workers still suffer a pay gap too.

Over a lifetime, on average a woman is paid nearly £400,000 less in gross earnings.

Equal pay is an important trade union issue about fair pay, tackling poverty and low pay, and discrimination against working women, and Unite strongly believes that we must tackle this inequality and tackle it NOW. Measuring the gender pay gap is a start, but in order to close it, we need an action plan, and an equal pay audit to identify what action is needed.

Reasons for Unequal Pay

The main reasons are sex discrimination, undervaluing of work mainly done by women, gender job segregation where men and women are concentrated in different jobs, lower paid jobs from a young age, caring responsibilities, lack of transparency in pay systems, social and economic policy measures.

Additionally, there are a number of barriers that prevent women using equal pay law to challenge unequal pay – the issue is often collective, but equal pay law is about protecting individuals from unequal pay, for example.

Conducting an equal pay audit will assist the employer in ensuring they are not in breach of the Equality Act 2010 and that they are treating women and men equally and fairly in the workplace. Also, the Equality and Human Rights Commission recommends that the most effective way to eliminate discrimination is to carry out an equal pay audit.

Unions can negotiate to close the gender pay gap

Although these new Gender Pay Gap Regulations do not include a requirement to produce an action plan to act upon closing any pay gaps identified, Unite reps can use this opportunity and utilise the information published by the employer to negotiate action plans to close the gender pay gap.

It is important that Unite reps work with employers to establish a transparent and simple pay system covering all employees that is based on a fair and non-discriminatory job evaluation including equal pay for work of equal value.

Other action needed includes : monitoring salaries for new starters as well as transfer and promotion, monitoring progression rates, placing limits on local managerial discretion over pay, subjecting pay to regular checks, ensuring that women and men on maternity or parental leave receive their entitlements to pay rises, bonuses, etc., ensuring that the pay system as a whole is regularly reviewed and finally, ensuring an equality impact assessment of all changes to the way in which pay is determined is carried out.

For more information on Equal Pay Audits please refer to:

PAY UP campaign - Unite Action Plan

<https://www.unitetheunion.org/media/dvonz4ew/equalities-pay-up-brochure-2023.pdf>

Unite negotiators equal pay checklist

- Keep the gender pay gap and equal pay on the bargaining agenda
- Use the information published by the employer on the gender pay reporting website to negotiate action on equal pay, decent pay and conditions – go to <https://gender-pay-gap.service.gov.uk/>
- Encourage your employer, regardless of size, to publish their gender pay gap
- Ensure that all equal pay information is shared with union reps to assist with negotiations
- Ensure the union is involved in any job evaluation
- If you work for a smaller organisation, not covered by the gender pay gap regulations, you can work with your employer to publish their gender pay gap information and take steps to address the causes. Also, explain to them that complying with the regulations could protect them from possible equal pay claims in the future
- Use the Equality Act 2010 Code of Practice on Equal Pay – go to : <https://tinyurl.com/y942pyhv>
- Raise awareness among members, encourage pay transparency and talk about equal pay with members
- Use equal pay and fair pay as an organising campaign
- Negotiate for better maternity and parental leave
- Negotiate for flexible working from day one and for ALL, at all levels in the organisation and as a default for all jobs. Advertising all jobs as flexible, part-time or a job share is a good starting point

