

PAYM€QUALLY - TOWARDS EQUAL PAY FOR WOMEN AND MEN

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An investigation carried out by the National Commission for the Promotion of Equality (NCPE) in 2015 found the occurrence of gender discrimination in the wage of a female employee. In this case, the complainant alleged that she was receiving a lower wage than the male employees who were in a similar or same rank and responsibilities. It was noted that while all of the managers' wages differ in amount, the gap between the male managers' wages is smaller than the one between the average male manager wage and the complainant's wage. Following the opinion issued in relation to this complaint, NCPE was informed that negotiations between the employer and the complainant resulted in a substantial increase in salary when compared to that of her male counterparts.

Cases on gender discrimination in pay that are similar to this mainly affect women, and contribute to widen the gender pay gap. As this is a concern for most of the EU member states, the European Commission established the European Equal Pay Day that is usually earmarked for the first week in November to raise awareness on this issue. Many of the EU member states have followed suit and so has NCPE. In fact, through a short media campaign - PayM€qually - NCPE is raising further awareness on the gender pay gap on the national level.

Research shows that equal pay for work of equal value for women and men should not only be safeguarded, because it is enshrined in the Constitution of Malta, but also because it makes good business sense. Safeguarding equality in employment, including in pay, contributes to attract the best employees for a job; to make effective use of talents and skills; to avoid complaints on discrimination and unfair work practices; to create a positive work environment and gain the confidence of employees.

The question arises – how can equal pay for women and men be guaranteed? Having an Equality Policy that safeguards equal pay signifies that an organisation is committed to promote equality and diversity in concrete terms and eliminates unlawful discrimination. Such policies ensure equal terms and conditions offered to women and men in the same grade and in the same type of employment or doing work of equal value. An equality policy benefits staff and potential employees and helps achieve dignity at work, contributing to providing the best possible services to clients.

Having a robust, consistent, gender-sensitive method for assessing and comparing the value of different jobs is considered vital to achieving equal pay. Such job evaluation schemes have proved to provide a basis for a grading and pay structure based on objective criteria, supporting credible definitions of work of equal value and detecting indirect pay discrimination on grounds of sex. The aim is to evaluate the job, not the jobholder, and to provide a way of assessing the demands of a job that is free from gender bias and as objective as possible.

Payroll transparency facilitates the implementation of equal pay for women and men by enabling employees, employers and social partners to take appropriate action when and if necessary. Employees can make sense of their earnings and those of their colleagues putting at rest suspicions of discrimination, favouritism and general unfairness. Studies carried out in organisations show that sharing peers' and superiors' salary information is a motivator. In fact, when employees can clearly see where they stand within the company in relation to

their colleagues, they are more likely to ask themselves why they are in that position and do what they can to raise their prospects.

In Malta there are already 78 enterprises, with around 21,000 employees, that have shown their commitment towards gender equality, including in pay, which commitment has been recognised and awarded by NCPE. In fact, the NCPE Equality Mark certifies organisations that foster gender equality at the workplace according to set criteria, including equality in recruitment and working conditions such as equal pay for work of equal value. NCPE provides the necessary assistance to organisations to strengthen their policies and practices in this regard.

Reporting discrimination in pay is essential to ensure that the gender pay gap is addressed. In this context, NCPE is empowered to investigate complaints of alleged gender discrimination in employment, including in pay. Therefore, anyone who deems that they are being discriminated against in this regard, is encouraged to lodge a complaint with NCPE for further investigation and action.

Through the media campaign PayM€qually, in line with the European Equal Pay Day marked this year on 3rd November, NCPE is putting its message across by participating in TV and radio programmes and publishing articles in order to increase awareness that a pay gap between women and men still exists and that

there are ways how this can be addressed. Join us on NCPE's facebook page for regular posts with infographics, video-clips and quotes of renowned personalities. **MBR**

NCPE can be contacted on 2590 3850, equality@gov.mt or on Facebook.

Credit: NCPE



Equal pay for work of equal value and gender equality in employment as safeguarded by legislation

Article 14 of the Constitution of Malta:

"... the State shall in particular aim at ensuring that women workers enjoy equal rights and the same wages for the same work as men."

Employment and Industrial Relations Act:

"Employees in the same class of employment are entitled to the same rate of remuneration for work of equal value"

Equality for Men and Women Act:

"It shall be unlawful for employers to discriminate, directly or indirectly, against a person in the arrangements made to determine or in determining who should be offered employment or in the terms and conditions on which the employment is offered or in the determination of who should be dismissed from employment."