

## Equal pay for equal work between women and men

Mandy had been working for a consultancy firm for the past eight years. Last year, she discovered she was being underpaid compared to her male colleagues who carry out the same work. Edward, her male colleague, who was her junior in his work experience and role, was earning €11,000 more than her per year.

She informed her manager of this discrepancy and was ready to resign from her post unless he corrected the situation. Mandy was demoralised by this situation as she was being paid less than her colleagues despite carrying out the same work and having more knowledge and experience on the job. Mandy received a salary increase following a meeting with the management.

This story illustrates that gender discrimination in pay is still persistent. Indeed, unequal pay for work of equal value is one of the causes of the [gender pay gap](#) which is *“the difference between the average gross hourly earnings of men and women expressed as a percentage of the average gross hourly earnings of men”*. According to the latest data published by the [Eurostat](#), the gender pay gap in the EU stood at 13% in 2020, whereas in Malta, the average difference in pay between women and men was 10%. However, the [pay gap](#) in Malta can be as high as 29.7% in real estate activities and 24.3% in financial and insurance activities.

This difference in pay results from various inequalities in the labour market besides discrimination. These include gender segregation in employment and education, lack of women in managerial positions and lack of adequate work-life balance.

Public discourse is also developing in the context of [equal pay for work of equal value](#) that refers to non-discrimination in pay, relating to the full range of payments and benefits, including basic pay, non-salary payments, bonuses and allowances. It is not limited to comparing people performing the same or similar tasks, but it also applies to those cases where men and women perform work that is different in content, involves different responsibilities, requiring different skills or qualifications, and is performed under different conditions but is overall of equal value.

This year, the European Commission is marking **15<sup>th</sup> November** as the [European Equal Pay Day](#) to raise awareness about the difference in wages between women and men.

Additionally, the European Commission presented a [proposal on pay transparency](#) in March 2021, to help identify discriminatory gender-based pay differences and ensure that women and men receive equal pay for equal work. This proposed directive focuses on measures to ensure pay transparency and better access to justice for victims of pay discrimination.

On a national level, ensuring that women workers enjoy equal rights and the same wages for the same work as men is one of the principles stated in [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”*.

Moreover, in 2018, the Government announced the setting up of a structure in the [Department for Industrial and Employment Relations \(DIER\)](#) to investigate complaints of unequal pay to ensure that *“employees in the same class of employment are entitled to the same rate of remuneration for work of equal value”*.

The National Commission for the Promotion of Equality (NCPE) is empowered by Chapter 456, [The Equality for Men and Women Act](#), to investigate complaints of gender discrimination in employment, including in the terms and conditions such as pay.

Over the past years, the NCPE has taken various initiatives to address the gender pay gap and unequal pay. In 2020, the NCPE started work on developing an Equal Pay Tool to strengthen the measure of equal pay for work of equal value for women and men, through the Prepare the Ground for Economic Independence (PGEI) EU co-funded project. The NCPE is currently working to fine tune the tool for easier interpretation of results.

As [Ursula von der Leyen](#), President of the EU Commission, stated, *“equal work deserves equal pay. And for equal pay, you need transparency. Women must know whether their employers treat them fairly. And when this is not the case, they must have the power to fight back and get what they deserve”*.



*National Commission for the Promotion of Equality*

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