Equal Pay



The Equal Pay Legal Framework

- The Maltese legal framework prohibits discrimination in the terms and conditions of employment, including pay.
- The **Maltese Constitution**: “the State shall in particular aim at ensuring that women workers enjoy equal rights and the same wages for the same work as men”
- Pay discrimination is prohibited under **Cap. 452** (employment law) and **Cap. 456** (equality law) - legal obligation to ensure equal pay for the same work and work of equal value
- **Legal Notice 173 of 2026** transposes the Pay Transparency Directive - obligations and mechanisms to ensure that the principle of non-discrimination is upheld in practice



The Role of the Equality Bodies



Legal Notice 173 of 2026 transposing the Pay Transparency Directive, assigns several roles to the **national equality body**

The Department for Industrial and Employment Relations (DIER) was designated as the **monitoring body**





The NCPE, as the equality body, has the following roles:

Request **Pay Gap Reports (**incl. clarifications and further details) from employers required to prepare them:

- At least 250 workers: starting June 2027, and every year thereafter
- 150–249 workers: starting June 2027, and every three years thereafter
- 100–149 workers: starting June 2031, and every three years thereafter

- Be consulted by DIER on **remedying the situation** if the Pay Gap Report reveals an unjustified 5% pay difference
- Request the joint pay assessment from the employer

- Act upon an **employee's request** to obtain from the employer, on their behalf information on: "*their individual pay level and average pay levels broken down by sex, for categories of workers performing the same work or work of equal value*"
- Engage in **judicial or administrative proceedings**, either on behalf of or in support of a worker
- **Cooperate** with the Monitoring Body (DIER)

Tools for Equal Pay

EIGE Step-by-Step Toolkit

- Developed in the context of the Pay Transparency Directive
- **<u>Supports the development of</u>** gender-neutral **job evaluation** and **classification**
- Three tailored pathways



Micro-organisation

Fewer than 10



Small and medium-sized organisation

Between 10 and 249



Large organisation

250 or more

- All pathways start by breaking down roles according to the factors and subfactors: **skills, responsibility, effort** and **working conditions**
- **Supporting material** includes: factor and subfactor plans, case studies, worker questionnaires, interview guides and job profile templates

Tools for Equal Pay

NCPE Equal Pay Tool



- Developed as part of the **Equality Mark** certification - available to Equality Mark-certified companies with at least 50 employees.
- **Identifies existing unjustified pay discrepancies** between women and men, based on employee data entered by the company and the **scoring** of different job types and occupations
- The NCPE awards Equal Pay Certification where the tool indicates a **Low Risk** of non-compliance with the equal pay principle
- Confidential assistance is available to organisations whose results indicate a **Medium or High Risk** of non-compliance with the equal pay principle

THANK YOU

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