

**'View from the Chair' article published in the Business Newsletter, 5 July 2016
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Sex discrimination still an issue 40 years on from 1976 legislation

I am old enough to remember a time when women could be forced to leave their job when they got married – a fact largely unknown to many people born in the past few decades. The normal argument, offered in a 1946 article in *The Spectator*, posited that women who were married were supported by their husbands and so they did not need jobs! The so called “marriage bar” in teaching wasn't lifted until 1944, with the Home civil service ceding in 1946 and the Foreign Service following in 1973.

In such a context, there is little doubt that the introduction of the Sex Discrimination Order in July 1976 changed the situation for women for the better. In the intervening years, female employment rose steadily, though slowly - from 59 per cent in 1976 to its current level of 63 percent. The pay gap in N Ireland has also narrowed, but more significantly, with women now earning around 96.5% of men's median hourly earnings, compared to 70% in the 1970s.

Forty years on women are now working in a broader range of occupations and industries with many females being employed as engineers, fire fighters and bus drivers – roles practically unknown in the 1970s. There has also been significant progress in female representation at senior management grades in the Northern Ireland Civil Service (Grade 5 and above). In the last ten years this has risen from 22.3% in 2005 to 34.9 % in 2015. Despite such improvements, however, many old, familiar problems remain.

It remains a fact that despite 40 years of protections the Commission still gets more complaints about sex discrimination than on any other discrimination ground except disability. It consistently accounts for over 1 in 4 of all complaints received each year – or almost 3 per day.

A particularly common complaint revolves around the mishandling by employers of pregnancy and maternity issues, a fact which has caused the Commission to initiate a formal Investigation into this issue. As well as highlighting examples of good practice by employers in this field, the report will consider the employment experiences of pregnant women and of mothers returning to work and what barriers exist to their equal treatment.

There are a number of enduring concerns, including childcare, which remains one of the biggest issues not just for families, but also for employers. There is also a way to go on addressing the fair participation of women employed in science, technology, engineering and mathematics industries; an area in which the ratio of men to women is currently 3 to 1. This is not only a gender equality issue but a broader economic issue which impacts on wider business growth and development.

It is probably no surprise that our complaints highlight that sexual harassment is still a problem – or an ordeal – faced all too often by women in the workplace. It can be very difficult for any person to take the professional and personal risks involved in confronting such treatment. That can be especially true for women when they challenge enduring attitudes and behaviour which discriminate against them because of their sex – a situation made worse if employers are not prepared to support them and deal effectively with the issue when it is raised.

It is easy to say that 40 years ago “it was a different world”. But it’s also true that some aspects of human nature – and the problems people encounter at work and in society – are not all that different. The legal protections introduced in 1976 for women in the workplace are just as necessary now as they were then. The Equality Commission provides advice, training and information to all employers on how to comply with the law and ensure that women and men get a fair chance in recruitment and promotion, and fair treatment while they are at work.