

25 June 2019

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Equal pay and the law - what employers need to know

The case of the woman solicitor who won her equal pay case at Tribunal and was awarded £250,000 has been hitting the headlines today. Here's what employers need to know in order to avoid discrimination claims and to be fair to all their employees.

The Equal Pay Act (Northern Ireland) 1970 is the relevant equality law in this case. Its purpose is to promote the principle that men and women should receive *equal pay for equal work*.

The Act benefits both men and women, but in practice women are more likely to seek remedies under it because pay inequality mostly affects them. Last year, the Commission's advice line dealt with 64 complaints about equal pay.

Our advice is that all employers should be equal opportunities employers, meaning that they should make genuine efforts to comply with the spirit and letter of the anti-discrimination laws.

The main point to remember in relation to pay, salaries and benefits, is that employers should start with a presumption that their employees should receive equal pay for equal work under a pay scheme that is reasoned, structured and transparent and certainly not under one that is secretive, arbitrary and ad hoc. They should demonstrate a commitment to this principle by having an equal pay policy. A model equal pay policy is available in the Equality Commission's [Code of Practice on Equal Pay](#) (pdf).

Employers should carry out periodic equal pay reviews, examining whether there are pay disparities between employees who are doing equal work. In particular, they should look for patterns that may reveal whether these disparities tend to advantage or disadvantage men and women, or between people with other different characteristics, such as community background, race, sexual orientation, age or disability. Guidance on carrying-out such reviews can be found in the Equality Commission's [Equal Pay Review Kit](#). (pdf)

Employers should identify the source of any disparities by examining all aspects of pay packages, such as starting salaries, pay progression scales, overtime rates or bonuses. They need to consider whether any disparities are lawfully justified, immediately eliminate disparities that have no lawful justification and keep all others under regular review.