

Rules for gender pay gap reporting expected 'in the coming weeks'

ANDY PRENDERGAST

On International Women's Day, Minister Roderic O'Gorman announced some new detail on Gender Pay Gap reporting regulations, including the requirement of large employers to choose a 'snapshot' date of employees in June 2022.

Despite the Gender Pay Information Act being passed into law in July 2021 – having been first introduced in the Dail in 2019 – regulations outlining how employers will have to report on gender pay gap data are still unpublished.

The Minister for Equality, Roderic O'Gorman, announced, on March 8, that the new regulations will be published "in the coming weeks."

Employers will choose a 'snapshot' date of their employees in June 2022, and will report on the hourly gender pay gap for those employees on the same date in December 2022.

The information employers will have to include in their gender pay gap report includes:

- The mean and median hourly wage gap, the former reflecting the entire pay range in an organisation and the latter excluding the impact of unusually high earners.
- Data on bonus pay.
- The mean and median pay gaps for part-time employees and for employees on temporary contracts.
- The proportions of male and female employees in the lower, lower middle, upper middle and upper quartile pay bands.
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In addition, employers will also be required to publish a statement "setting out, in the employers' opinion, the reasons for the gender pay gap in their company and what measures are being taken or proposed to be taken by the employer to eliminate or reduce that pay gap."

Minister O'Gorman said the reporting requirement "will help to ensure pay transparency exists in organisations, and will play an important role in achieving gender equality in the workplace."

The reporting requirement will initially apply to organisations with 250 or more employees but will extend, over several years, to organisations with 50 or more employees.

The Department will also publish guidance for employers on how gender pay gap calculations should be made and plans are in place to develop an online reporting system for the 2023 reporting cycle.

'SOURCE OF DISAPPOINTMENT'

The Irish Congress of Trade Unions said it "is a source of disappointment that the full regulations governing the process are still not available, with only a commitment to publish in the coming weeks being signalled."

Congress General Secretary, Patricia King, said that Congress "has been to the fore in calling for the introduction of gender pay gap reporting and calls upon Minister O'Gorman to publish these regulations as a matter of urgency."

Congress Equality Officer, David Joyce added that the requirement to publish a statement setting out, in the employers' opinion, the reasons for the gender pay gap in their company and what measures are being taken or proposed to be taken by the employer to eliminate or reduce that pay gap "are not sufficient."

"Employers must discuss the gap with workers and their representatives and agree a joint approach to tackling any gaps identified in an effective manner", he added.

SIPTU Deputy General Secretary, Ethel Buckley, welcomed the Minister O'Gorman's commitment, that gender pay gap reporting regulations will be published in the coming weeks, having asked the Minister to "take the gender pay gap legislation off the shelf and to implement it."

She said SIPTU "intends to engage in a nationwide collective bargaining campaign to eliminate policies, practices and procedures which are causing the gap in female and male earnings and to put in place union-employer remedial action plans that will equalise pay."

CIPD Ireland said it is supporting and advising members ahead of the expected introduction of requirements under the Gender Pay Gap bill. Previous IRN-CIPD surveys have found a low level of preparation for gender pay gap reporting requirements (see [IRN 26/2021](#)).

WORK-LIFE BALANCE

Marking International Women's Day, the CIPD emphasised that showing consideration for women's work-life balance "will be key to the success of employer efforts to keep them as staff."

Research from CIPD Ireland last year found 63% of member organisations recorded a 'significant' or 'small' increase in the number of female workers taking annual leave to fulfil caring duties during the pandemic, while 79% said childcare/caring caused problems for remote workers. Director of CIPD Ireland Mary Connaughton says mounting evidence

supports feedback from her members, that women with caring responsibilities need to know they'll be supported at work.

Ms Connaughton says there is a range of ways in which employers can promote flexibility: "Rather than focus on remote working, employers can introduce a policy of flexible working, allowing individuals to be able to work when and how they would like, not just where. With the pressure in the labour market to fill jobs, having conversations with carers on their unique circumstances will help to retain them."

Updated figures from the Government-sponsored, business-led group, Balance for Better Business (B4BB), shows there is "continued progress" being achieved against the targets for female representation on boards and leadership teams of Ireland's 39 listed companies.

ISEQ20 companies now have an average female representation of 32%, up from 18% in 2018. Boards of other listed companies have an average of 23% female representation. About half of listed companies have met the 30% target for 2022.

However, progress to increase female representation in key management positions (CEOs, CFOs) "continues to be slow". Appointment rates to leadership teams are on average lower than the board appointment rate at 29% overall, which, B4BB says, "emphasises the need for firms to have a continued and long-term focus on succession planning and pipeline development."