



The Gender Pay Gap Information Bill NWCi Recommended Amendments May 2019

The National Women's Council of Ireland (NWCi) warmly welcomes the *Gender Pay Gap Information Bill 2019* and the development of meaningful interventions to improve women's careers and workforce diversity and inclusion. The Bill introduces some important provisions and once implemented will contribute to a more open, transparent and balanced society. However, we believe the Bill can be stronger. In that respect we urge all members of the Oireachtas to consider the recently published report and accompanying recommendations of the Joint Committee on Justice and Equality following their pre-legislative scrutiny of the General Scheme of the Gender Pay Gap Information Bill.¹ In particular, we recommend the following key amendments:-

1. Phased introduction of reporting

The obligation to report will initially apply to employers with 250 staff or more and then, on a phased basis, move to employers with 50 or more staff. It is unclear how soon this requirement will commence, but once it does, it will offer limited insights, given the small number of companies that have more than 250 employees. Amend the Bill to extend the requirement for reporting within one year to all employers with 50 or more employees.

2. Lower reporting threshold

Given that 91.8% of companies in Ireland employ fewer than ten employees,² the proposed lower threshold of 50 employees is inadequate. It is estimated that under current proposals, the Bill will capture just 1.4% of firms and 57% of all employees,³ lowering the threshold to 20 employees would capture 70% of employees. Amend the Bill to reduce the threshold to at least 20 employees.⁴

3. Comparisons

Those working fewer hours, and those on temporary contracts, suffer a basic earnings, bonus and career progression penalty over the course of their working life, relative to full time and permanent workers. Amend the Bill to ensure the mandatory comparison of part time and full time workers and the comparison of temporary and permanent workers.

4. Enforcement

The Bill includes several methods to enforce the proposed legislation but lacks clear penalties for non-compliance in respect of employers that fail to report or that report inaccurate data. Amend the Bill to provide for specific fines in order to increase certainty and to ensure meaningful compliance.

5. Reporting and publication

The Bill includes a welcome requirement for employers to provide, alongside their statistics, a statement setting out, in the employer's opinion, the reason for such gaps in pay; however, we regret that the accompanying subsection does not make clear the mandatory inclusion of the measures being taken to close the identified gaps. Amend the Bill to make this a clear mandatory requirement that is monitored and assessed.

For more information see our [Joint Letter with SIPTU FORSA and ICTU to the Joint Committee on Justice & Equality \(January 2019\)](#), our [Opening Statement to the Joint Committee on Justice & Equality \(November 2018\)](#), our [Paper on Pay Transparency \(July 2018\)](#), and our [Publication on How to Close the Gender Pay Gap \(November 2017\)](#), all of which are available on our website. To discuss contact our Legal and Policy Officer, Denise Roche at deniser@nwci.ie

¹ The 2019 Joint Committee on Justice and Equality Report on pre-legislative scrutiny of the General Scheme of the Gender Pay Gap Information Bill (February 2019) 32/JAE/33 can be accessed [here](#)
² Data from the CSO as compiled in the 2019 Joint Committee Report, at 35.
³ Based on the CSO's 2016 Business demography data.
⁴ Alternatively we support the position of the Joint Committee, which recommended 10-15 employees (Report, at 4).