

# Gender Pay Gap Reporting

## Getting it Right



# What is the Gender Pay Gap?



## Gender Pay Gap

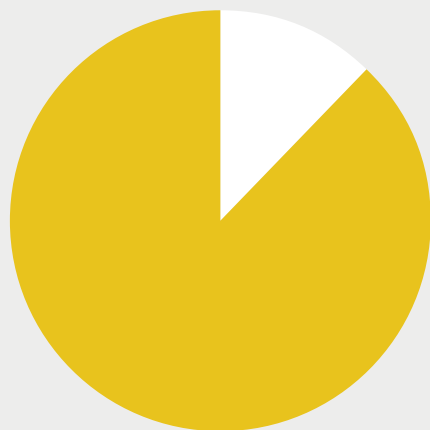
The Gender Pay Gap is the difference in the average hourly pay of men and women in an organisation, regardless of the nature of their work. The Gender Pay Gap captures the extent to which women are represented evenly across an organisation. The Gender Pay Gap is expressed as a percentage of men's earnings.



## Equal Pay

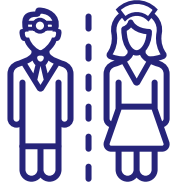
The Gender Pay Gap is not the same as equal pay. An equal pay comparison involves a direct comparison between a man and a woman, or a group of men and women, who are carrying out 'like work'. Paying women less than men for doing the same job is illegal and is prohibited by Ireland's equality legislation.

## The Gender Pay Gap in Ireland is:



# 13.9%

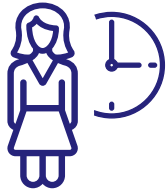
# What causes the Gender Pay Gap?



Under representation of women in senior management roles



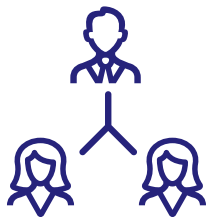
More women working in lower paid jobs



More women working part-time



More women taking on caring responsibilities



Educational and Occupational segregation

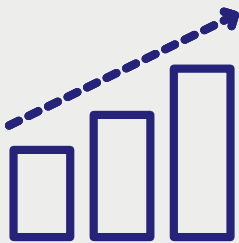


Discrimination and bias

# Why close the Gap?

1

**Better for Business**



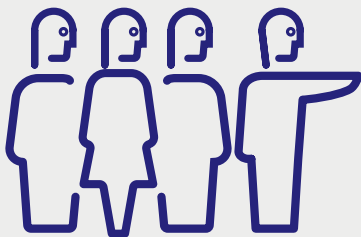
2

**Diversity and Inclusion**



3

**Reputation**



4

**Attract and retain  
key talent**



# Gender Pay Gap Reporting



## General Scheme of the Gender Pay Gap (Information) Bill

In June 2018, Cabinet approved the General Scheme of the Gender Pay Gap (Information) Bill. The General Scheme of the Bill proposes to amend the Employment Equality Act 1998 to allow the Minister for Justice and Equality to make regulations which require employers to report and publish information on their Gender Pay Gaps.

## Who will this affect?

Public and private sector employers will be obliged to report and publish gender pay data subject to the employment thresholds (initially 250+ employees, reducing to 150+ employees after two years, and finally to those with 50+ employees in the following year).



---

## What information needs to be reported?

The differences between the pay of male and female employees in terms of:

- Mean and median hourly pay
- Mean and median bonus pay
- Mean and median pay of part-time employees
- Mean and median pay of employees on temporary contracts



Employers will also be required to publish the proportion of male and female employees:

- receiving bonuses
- receiving benefits in kind
- in each of the lower, lower-middle, upper-middle and upper range pay bands.

## Will the data be published?



The General Scheme of the Bill envisages the publication of data, although the form, manner and frequency of such reporting and publication has not yet been clarified. It is unclear whether organisations will be required to publish the data on a government website or on the employer's own website.

---

## How will it be enforced?



### **Workplace Relations Commission**

- Employees may refer a complaint to the Workplace Relations Commission who will investigate the complaint and may issue an order requiring compliance.
- Designated officers may be appointed to investigate a sample of employers to ensure the accuracy of published information.



### **Irish Human Rights and Equality Commission**

The Irish Human Rights and Equality Commission will be permitted to apply to the Circuit Court for an order obliging an employer to comply with the legislation.



### **Media**

Name and Shame.

---

## When is compliance necessary?



It is unclear when employers will be required to report, but it is intended that the Bill will be published before the end of 2018. The Minister for Justice and Equality has stated that his intention is that the regulations will be subject to public consultation. This will obviously impact the timing of when employers will be required to report.

# What can you do to prepare?



## 1. Stakeholders

Reporting on your gender pay gap will require the input of a number of stakeholders ranging from internal departments such as payroll and human resources to external legal counsel and public relations advisors. Identify and inform your stakeholders early to ensure all parties work efficiently and effectively together.



## 2. Resources

It is important to establish that you have the required resources within the organisation to carry out gender pay gap reporting, including the technology and software which will be required to collate the data and carry out the calculations.



## 3. Data

Start collating the data. Carrying out a “dry run” will enable an organisation (i) to identify any technology supports or staff training that may be needed; and (ii) to identify and diffuse any potential equal pay and discrimination issues early.



## 4. Legal Input

Taking legal advice at an early stage is key, not only in terms of advising in respect of potential legal and data protection issues, but also ensuring that the process followed and output of such an initial review can be protected from disclosure (on the basis of legal privilege).



## 5. Communicate

Consider your communications strategy both within your organisation and to the public.



## 6. Action Plan

Depending on the factors that drive your gender pay gap, consider what action plan should be put in place to close your gender pay gap.

## Key Contacts

### Employment, Pensions and Incentives Group



**Terence McCrann**  
*Partner*  
+353 1 607 1336  
terence.mccrann@  
mccannfitzgerald.com



**Eleanor Cunningham**  
*Partner*  
+353 1 607 1723  
eleanor.cunningham@  
mccannfitzgerald.com



**Mary Brassil**  
*Partner*  
+353 1 607 1279  
mary.brassil@  
mccannfitzgerald.com



**Stephen Holst**  
*Partner*  
+353 1 511 1517  
stephen.holst@  
mccannfitzgerald.com



**Mary Kelleher**  
*Senior Associate*  
+353 1 607 1493  
mary.kelleher@  
mccannfitzgerald.com



**Donal Hamilton**  
*Senior Associate*  
+353 1 607 1782  
donal.hamilton@  
mccannfitzgerald.com



**Ruth Keehan**  
*Associate*  
+353 1 607 1357  
ruth.keehan@  
mccannfitzgerald.com



**Aoife Clarke**  
*Associate*  
+353 1 511 1670  
aoife.clarke@  
mccannfitzgerald.com





**Clementine Farrell**  
*Associate*  
+353 1 611 9114  
clementine.farrell@  
mccannfitzgerald.com



**Niamh Crotty**  
*Associate*  
+353 1 607 1383  
niamh.crotty@  
mccannfitzgerald.com



**David McCauley**  
*Associate*  
+353 1 511 1504  
david.mccauley@  
mccannfitzgerald.com



**Emma Libreri**  
*Associate*  
+353 1 607 1304  
emma.libreri@  
mccannfitzgerald.com

---

**Principal Office**

Riverside One, Sir John Rogerson's Quay  
Dublin 2 D02 X576  
+353 1 829 0000

**London**

Tower 42, Level 38C, 25 Old Broad Street  
London EC2N 1HQ  
+44 20 7621 1000

---

**New York**

Tower 45, 120 West 45th Street, 19th Floor  
New York, NY 10036  
+1 646 952 6001

**Brussels**

40 Square de Meeûs, 1000 Brussels  
+32 2 740 0370

This document is for general guidance only and should not be regarded as a substitute for professional advice.  
Such advice should always be taken before acting on any of the matters discussed.