

Joint Report: Gender Pay Taskforce Progress Report May 2021

Date: 3 June 2021 **Security Level:** IN CONFIDENCE
Report No: 2021/0129
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Telephone: 9(2)(a) privacy

Actions Sought		Due Date
Hon Chris Hipkins, Minister for the Public Service		None
Hon Jan Tinetti, Minister for Women		None
9(2)(f)(iv) confidentiality of advice		

Minister's Office Comments

Comments:	
Date returned to Te Kawa Mataaho:	

Executive Summary

Gender Pay Work Programme

- 1 The Taskforce and the Public Service Association (PSA) ran four workshops, attended by approximately 100 agency and PSA representatives, to help agencies develop their 2021 gender pay gap (GPG) action plans and share their views about the next steps to close the Public Service GPG. Attendees indicated that they would value time and more tailored support to embed the work they have done to date, including going further to address bias and changing agency cultures.
- 2 The National Advisory Council for the Employment of Women (NACEW) agreed to fund work to develop resources for leaders and managers on how to address bias in informal day-to-day behaviour. NACEW also agreed to fund a cultural review of the Pay Equity Work Assessment Tool (refer paragraph 16 below).

Pay Equity Work Programme

- 3 The Taskforce is leading a significant piece of work to review and improve our tool for assessing work in the pay equity process. This includes introducing more in-depth analysis, alignment with the Equal Pay Act 1972, updating wording, including feedback from users, and incorporating a cultural lens. This will ensure that the information we gather gives us greater understanding about roles to inform the process.
- 4 The Taskforce is preparing advice for Ministers as requested at the April MOGSSER meeting on delivery of pay equity across the Funded sector.
- 5 The Ministry of Education has sought and received agreement on a 45-day extension to assess arguability on the Teachers' pay equity claim.
- 6 The Taskforce is working on options for centralising resource to support pay equity claims processes.
- 7 9(2)(j) prejudice to negotiations
[REDACTED]
[REDACTED]
[REDACTED]

Recommended Action

We recommend that you:

Note the progress being made by the Gender Pay Taskforce.

Agree that Te Kawa Mataaho releases this briefing once it has been considered by you, with matters under active consideration withheld under section 9(2)(f)(iv) of the Official Information Act (OIA), including the attached Appendix One, and information related to pay equity in the Executive

Summary and paragraphs 17-36 under section 9(2)(j) of the OIA, to enable agencies to carry on without prejudice or disadvantage negotiations.

Agree/disagree.

Agree/disagree.

Hon Chris Hipkins
Minister for the Public Service

Hon Jan Tinetti
Minister for Women

PROACTIVELY RELEASED BY TE KAWA MATAAHO PUBLIC SERVICE COMMISSION

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Purpose of Report

- 8 This is the twenty-eighth monthly report on the progress of the Gender Pay Gap (GPG) Action Plan (Action Plan) and Pay Equity in the State and Funded sector work programme.

Public Service Gender Pay Action Plans

2021 agency action plans

- 9 The Taskforce and PSA ran four workshops attended by over 100 agency and PSA representatives. We recently introduced guidance on: [Developing Public Service Agency Gender Pay Gap Action Plans](#) and [Measuring and beginning to address Māori and ethnic pay gaps in the Public Service](#). We emphasised the new expectations that agencies:
- a. Include data and actions on pay gaps for wāhine Māori and women from other ethnic groups
 - b. comment on how they will leverage procurement processes to improve gender equity within contracted workforces, in line with the Government Procurement Rules
 - c. ensure gender equity among their self-employed or dependent contractors.
- 10 We asked participants for their input into the next steps toward closing the GPG in the Public Service. Participants reiterated their commitment to this work and asked for:
- a. time and support to embed Taskforce guidance, build capability across their agencies, address bias in day-to-day behaviour and change agency culture
 - b. support from the Taskforce which is tailored to different sized agencies
 - c. more opportunities to work together to share ideas, tools and solve problems.

Next steps towards closing the Public Service GPG

- 11 The Taskforce continues efforts to develop a wāhine Māori and ethnic gender pay gap work programme. One aspect of the programme developed will be to conduct small projects or pilots with agencies, which may have wider system implications. An example of this is a partnership with Ministry of Social Development to do a deep dive into their workforce data, which will commence in June.
- 12 There is now also representation from the Taskforce and for the Commission on the Mana Wāhine Working group.
- 13 The Ministry of Business, Innovation and Employment (MBIE) has invited us to contribute a gender equity element to the next iteration of its guidance on the Government Procurement Rules.
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- 15 We will run a targeted workshop in June for smaller agencies to help them report on gender and ethnic pay and representation for small numbers of employees, where there are questions about privacy and/or statistical robustness.

16 The National Advisory Council for the Employment of Women (NACEW) has agreed to contribute funding to:

- a. help us develop resources for managers and leaders on addressing bias in informal day-to-day behaviour. We will use this funding to gather research insights into bias and creating ongoing changes in adult behaviour, to ensure we have a strong evidence base for our resources
- b. undertake a cultural review of the Pay Equity Assessment Tool (refer to paragraph 19 below).

Pay Equity Work Programme

Review of the Pay Equity Work Assessment Tool

- 17 The Taskforce is leading a significant programme of work to review and improve the tool for assessing work in a pay equity process. The tool has two parts; a questionnaire to elicit information from workers about their role, and a factor plan which enables assessment of the level of skill, complexity and effort involved in the work described.
- 18 The review involves CTU representatives, agency representatives and is chaired by the Taskforce. The work aims to:
 - a. Consolidate what has been learnt from previous pay equity processes about what worked well and what did not work
 - b. Consider the change in how we work and what we value in a post COVID work environment
 - c. Undertake a full culture review to ensure that the cultural skills and competencies are accurately captured
 - d. Align with the equal Pay Act 1972
 - e. Modernise language of the tool
 - f. Make the tool usable across the whole economy.
- 19 The National Advisory Council for the Employment of Women (NACEW) has agreed to contribute funding towards the cultural review of the tool. This work is progressing on an ambitious timeframe and we aim to publish this tool by the end of July.

Advice on pay equity in the Funded sector

- 20 The Taskforce is preparing advice for Ministers, as requested at the April MOGSSER meeting on:
 - a. The options and levers for extending the benefits of a settlement beyond the parties to the claim with associated risks, benefits, and timeframes; and
 - b. What criteria or quality assurance standards could be put in place to support the extension of a pay equity settlement whilst still ensuring a robust pay equity process.
- 21 To produce this advice comprehensive consultation is being undertaken with key stakeholders. This advice will be tabled at the June MOGSSER meeting.

State and Funded sector pay equity claims

- 22 There are 19 current pay equity claims across the State and Funded sector (see the Pay Equity Dashboard at Appendix One). The Dashboard outlines:
 - a. The status of the current claims
 - b. The number of employees or FTEs covered by each claim

- c. A high-level estimate of the timeline of each claim through to December 2022. Please note: this phasing is indicative only and amended monthly as we gather new information on the progress of claims.
- 23 The information below updates you on claims, key issues and risks that are emerging. We do not provide commentary on each individual claim unless there has been progress since our last report.

Teachers Claim (NZEI/PPTA)

- 24 The Ministry of Education has sought and received agreement for a 45-day extension to assess whether the Teachers' claim is arguable. The additional time is for the parties to agree a multi-employer bargaining process agreement as per the Equal Pay Act 1972 (the Act). This is a significant piece of work as it involves agreeing how the claim will be progressed.

Public Sector Administration and Clerical Worker (PSA/NUPE/Taxpro/NZ Police Association) and Specialist Customer Support Worker (PSA/Taxpro) claims

- 25 9(2)(j) prejudice to negotiations
- 26 9(2)(j) prejudice to negotiations

DHB Nurses and Midwives (MERAS/NZNO/PSA)

- 27 9(2)(j) prejudice to negotiations
- 28 9(2)(j) prejudice to negotiations

DHB Administrative and Clerical (PSA)

- 29 9(2)(j) prejudice to negotiations

DHB Allied Technical Claim (PSA/APEX)

- 30 9(2)(j) prejudice to negotiations
- 31 9(2)(j) prejudice to negotiations

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System-level support for pay equity claims

- 32 The Taskforce is refreshing its Gender Pay web presence on Te Kawa Mataaho's website, including refreshing the Gender Pay Gap and Pay Equity content and organising pages to increase accessibility. This refresh will make our recently published pay equity working days calculator and fact sheet, which is designed to support employers meet their notification obligation under the Equal Pay Act 1972, more accessible.
- 33 The Taskforce has also decided to publish guidance on Raising and Receiving a Pay Equity Claim. This guidance includes information on how to raise and respond to a pay equity claim. It also includes practical templates to assist parties to a claim meet their notification obligations under the Act.
- 34 The Taskforce continues to support MBIE with development of its pay equity publications.
- 35 The Taskforce is considering options for service delivery to support pay equity claims processes – including a centralised option. We hope to be able to provide advice to Ministers shortly on this.
- 36 We continue to work with the NZTU and affiliates on the Pay Equity Delivery Plan work stream.

Upcoming Events

Date	Details	Location

9(2)(f)(iv) confidentiality of advice

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