

*These notes refer to the Employment Act (Northern Ireland)
2016 (c.15) which received Royal Assent on 22nd April 2016*

Employment Act (Northern Ireland) 2016

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Gender Pay and Disclosure of Information

Section 19: Gender pay gap information

Section 19 provides that employers must, in accordance with regulations made by the Office of the First Minister and deputy First Minister, publish information showing whether gender pay disparities exist between employees. The information is to be presented by reference to prescribed factors and will give details of the method used to calculate any statistics presented. Where gender pay differences are identified, an employer must publish an action plan to eliminate them and provide a copy to employees and any recognised trade union. The size of employer to which the requirements apply, indicated by the number of employees and workers in the organisation, is to be established by regulations.

The regulations must prescribe descriptions of employee and employer, how to calculate the number of employees that an employer has, a standardised method for calculating pay differentials, descriptions of information, a requirement for the information to include statistics broken down by ethnicity and disability, the time at which it is to be published and the form and manner of its publication.

Employers may not be required to publish information more frequently than annually or less frequently than every three years. Regulations are to establish that non-compliance will be punishable by a fine in respect of every employee; and are to provide for enforcement.

The first regulations must be made by 30 June 2017.

The Office of the First Minister and deputy First Minister is to publish a strategy, including an action plan on eliminating gender pay differences, within 18 months of Royal Assent.