

Justified pay difference or related to gender?

— Employers' work against unjustified differences in pay between women and men

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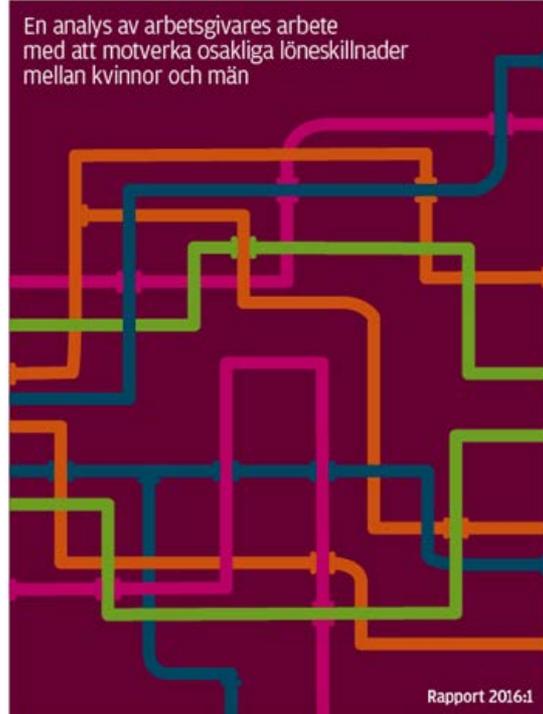


Justified pay difference or related to gender?

Sakligt motiverad eller koppling till kön?

diskriminerings
ombudsmannen 

En analys av arbetsgivares arbete
med att motverka osakliga löneskillnader
mellan kvinnor och män



Rapport 2016:1

The aim of this report is to provide an insight into how employers approach the work to discover, rectify and prevent unjustified pay differences between women and men, as required by law.



Aspects of the Swedish Discrimination Act (2008:567)

Chapter 2

**Prohibition of
discrimination
and reprisals**

Chapter 3

**Active measures
to counteract
discrimination
and bring about
equal rights and
opportunities**

Active measures

– with a view to prevent and promote

- Working conditions
- Harassment, sexual harassment
- Recruitment, promotion
- Education, training
- Parenthood
- **Pay/remuneration**



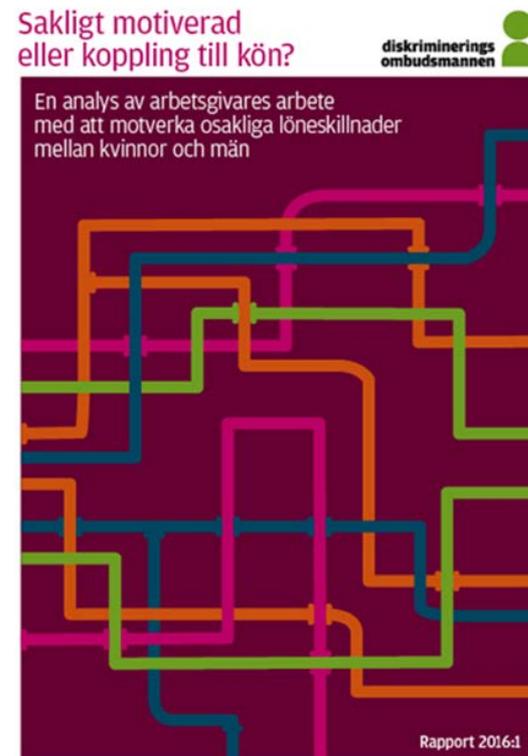
Active measures and counteracting unfair gender pay differences

- In order to discover, remedy and prevent unfair gender differences in pay and other terms of employment, every three years the employer is obliged to survey and analyse (now; every year)
 - provisions and practices regarding pay and other terms of employment that are used at the employer's establishment, and
 - pay differences between women and men performing work that is to be regarded as equal or of equal value.
- Action plan for equal pay (now; documentation of the on-going work) – report the results of the survey and analysis and evaluation of previous planned measures.

Implementation of equal pay surveys

Qualitative analysis of **documents** on a selection of employers' work with

- surveys and analyses of gender pay differences
- the action plan for equal pay.



The selection of employers

- All 21 Swedish County Councils and Regions (public services such as health care, public transport).
- 94 private medium-sized establishments (within industries such as health care, education, finances).

Research questions

On basis of the information in the documents;

- how do employers approach work to discover, remedy and prevent unjustified gender-related pay differences?
- do different ways of approaching the work lead to different outcomes concerning to counteract unjustified gender pay gap, as stipulated by the law?
- how do employers explain and justify pay differences between women and men?

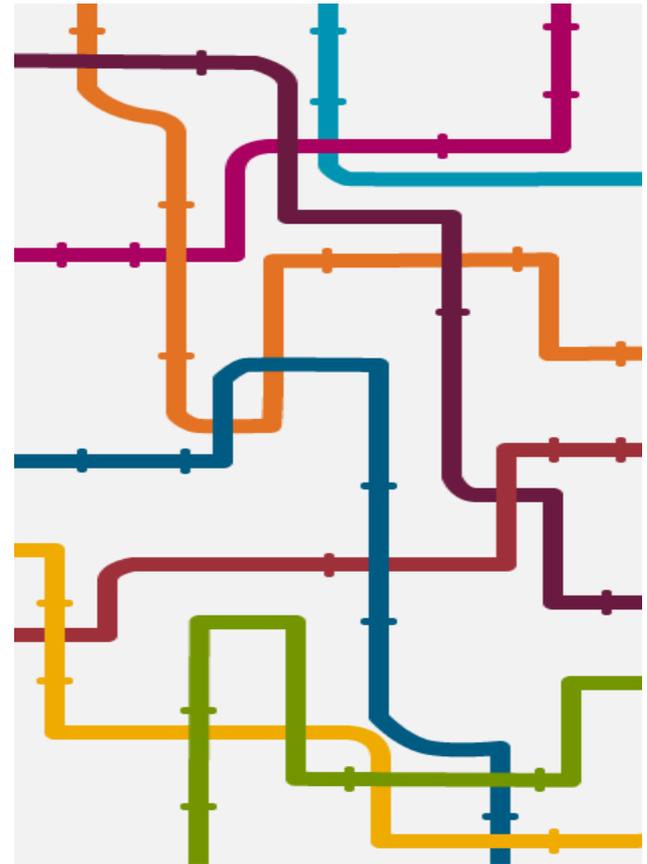
Identified measures to counteract unjustified gender pay differences

– descriptive results

- Approx. 30 % of the employers discover and document pay differences that is associated with employees' gender.
- Unjustified pay differences are mostly to women's disadvantage – primarily women's wages shall be corrected.
- Other documented measures; integrate certain types of work, reduce work-family conflicts, etc.

Overall results

- Broad variation in employer procedures.
- Broad variation creates different prerequisites for employers to discover, remedy and prevent unjustified gender-related pay differences.
- Similarities and differences in employers' explanations for gender pay differences.



Employer procedures differ in areas such as

- which employees' wages are included in the survey
- how pay differences are measured
- how equal work or work of equal value is distinguished
- how their analyses of whether the pay differences are gender-related are carried out
- the content of action plans for equal pay.

For example

- The way in which the employers divide the work into equal groups or groups of equal value greatly affects subsequent work.
- Their different procedures influence the pay differences that the employers discover and analyse.
- Variations in the judgement as to which and whose wages are deemed unjustifiable or justifiable.
- Variations in the content of the action plan such as measures and following up of previous planned measures.

Employers explanations for gender pay differences in groups of equal work or work of equal value

- Employee's previous investment into education and vocational orientation.
- Market influences (many and varying).
- Organisation-specific explanations – historical and current gender division of the particular type of work, responsibility and tasks that lead to higher pay.
- Employee's performance and other skills.

Conclusions

- The success of employers' actions to counteract unjustified gender pay differences depends on **how** the employers work are carried out.
- Some variation is expected – since the work to counteract unjustified gender pay differences shall be adapted to different businesses and organisations.
- In certain contexts, broad variation creates different prerequisites for employers to discover, rectify and prevent unjustified gender-related pay differences.



Conclusions

- **Holistic approach** – the employers' explanations show that there is a great value in coordinating the efforts made by employers to combat the gender pay gap, with the other required efforts following the legal requirements for active measures.

Thank you for your attention!

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