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# ENVY EQUAL PAY

An introductory guide

Martin Oelz   Shauna Olney   Manuela Tomei





# **EQUAL PAY**

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# Preface

Ensuring that the work done by women and men is valued fairly, and ending pay discrimination, is essential to achieving gender equality and a core component of decent work. The principle of equal remuneration for men and women for work of equal value, as set out in the Equal Remuneration Convention, 1951 (No. 100), needs to be implemented if equality is to be promoted and pay discrimination is to be addressed effectively, particularly since women and men often do different jobs.

While the principle of equal remuneration for men and women for work of equal value, often referred to as “equal pay”, has been widely endorsed, what it actually entails and how it is applied in practice has proved difficult to grasp.

Unequal remuneration is a subtle chronic problem, which is difficult to overcome without a clear understanding of the concepts and the implications for the workplace and society in general, as well as the introduction of proactive measures. The challenge of applying the principle has acquired even more prominence in the context of the current economic crisis, with “equal pay” appearing to some as merely an added cost. This Guide clarifies the concepts underlying the principle of equal remuneration for work of equal value and provides guidance on its practical application. While the Guide addresses specifically equal pay between men and women, as this is a long-standing concern of the ILO and continues to raise challenges today, it is hoped that it will also offer insights to address equal pay on grounds other than sex.

Equal remuneration for men and women for work of equal value can be applied in a variety of ways according to each national context. Thus the national examples provided are not intended to be models that must be followed, but rather approaches that can inspire further thought. The Guide is aimed at government officials, workers’ and employers’ organizations, policy-makers, practitioners, trainers, as well as others interested in this dynamic and evolving area. It draws on the ILO’s policy work in this domain, the technical assistance provided by the Office to ILO’s constituency, and the related comments of the ILO supervisory bodies.

This Guide may be used in a number of ways, including to –

- raise awareness and understanding of the principle of equal remuneration for work of equal value;
- help apply the principle in national law and practice;
- assist national equality bodies in promoting the principle;
- help wage-fixing institutions in applying the principle;
- negotiate equal pay provisions in collective agreements;
- develop workplace policies, including job evaluation methods;
- provide trainers with information and examples for awareness raising and capacity building;
- provide a basis for ratification of Convention No. 100;
- improve application and reporting of Convention No. 100;
- encourage measures for realizing rights at work under the ILO Declaration on Fundamental Principles and Rights at Work, and improve related reporting.

This Guide is a collaborative effort between the International Labour Standards Department and the Conditions of Work and Equality Department. It was written by Manuela Tomei, Director of the Conditions of Work and Equality Department, Shauna Olney, Coordinator, Equality Team in the International Labour Standards Department, and Martin Oelz, Legal Specialist, Conditions of Work and Employment Branch in the Conditions of Work and Equality Department. We hope this Guide will provide insights and food for thought to advance pay equity between men and women, and contribute to the follow-up to the 2012 Resolution concerning the recurrent discussion on fundamental principles and rights at work, and the 2009 Resolution concerning gender equality at the heart of decent work.

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