



**Amicus response to the Trade and Industry Inquiry into the Implementation of the report of the Women and Work Commission**

**Introduction**

- 1.1. Amicus is the UK's second largest trade union with 1.2 million members across the private and public sectors. Our members work in a range of industries including manufacturing, financial services, print, media, construction, not for profit sectors, local government, education and the NHS.
- 1.2 We welcome that the Trade and Industry Inquiry is examining the extent to which the Women and Work Report's suggestions meet the concerns of those that gave evidence to the Committee previously and what public bodies, employers and trade unions are doing to implement the recommendations of the Report.

**2. Executive Summary**

- 2.1 Amicus welcomes the Women and Work Commission Report, particularly in terms of recommendations on procurement, training and up-dating women's skills. **However, the Report is weak on recommendations to improve legislation; the low value attached to women's work; and levers that are required to close the gender pay gap in the private and not-for-profits sectors.**
- 2.2 **In particular, we are disappointed that the Report did not recommend compulsory equal pay audits for all sectors.** Equal pay audits are an important tool in identifying and addressing, both pay discrimination and tackling occupational segregation.
- 2.3 **Equal pay and sex discrimination legislation needs to be strengthened and the Report could have included more recommendations for the Discrimination Law Review to consider in the implementation of the Single Equality Act.**
- 2.4 **It is essential to have trained union equality representatives who are backed by full statutory rights. Without statutory backing**

**many equality representatives will not be given the time by employers to carry out their role effectively.**

**2.5 More could have been included in the report to tackle the low value placed on women's work.**

2.6 Two of our industrial sectors, the Finance and the IT and Electronics sectors, have launched Charters to address women's pay and opportunities.

2.7 All of our sectors have discussed, or will be discussing the Women and Work Commission Report, with the view to studying the recommendations and raising the issue with employers.

**2.8 We will be applying for funding from the Union Modernisation Fund to train representatives on equality.**

### **3. Women and Work Commission Report Recommendations**

3.1 Amicus welcomed the Women and Work Commission Report, particularly in terms of recommendations on procurement, training and up-dating women's skills. **However, the Report is weak on recommendations to improve legislation; the low value attached to women's work; and levers that are required to close the gender pay gap in the private and not-for-profit sectors.**

3.2 The equal pay act, sex discrimination act and flexible working regulations need to be strengthened to compel all employers to take action to address occupational segregation and the gender pay gap.

3.3 **In particular, Amicus was disappointed that the Report did not recommend compulsory equal pay audits for all sectors.** The Women and Work Commission was given clear evidence that the voluntary approach was not working by trade unions and research commissioned by the EOC. Many employers in the private and not-for-profit sectors will not carry out equal pay audits unless they are compelled to by law. Equal pay audits are an important tool in identifying and addressing, both pay discrimination and occupational segregation within organisations. They ensure that pay systems are both fair and transparent and are key to tackling unfair pay differentials that are often as a result of the under-valuing of women's work and skills.

3.4 **Equal pay and sex discrimination legislation needs to be strengthened and the Report could have included more recommendations for the Discrimination Law Review to consider in the implementation of the Single Equality Act.** There should be a positive duty to promote equality across all strands and sectors; a requirement that all organisations take action on equality and publicise this in their annual reports; that trade unions should be able to take

class actions on behalf of groups of members; that organisations should have to take action as a result of tribunal cases in both policy implementation and practice; and that there is a right to be reinstated by the employer to the same job on the same terms and conditions. All of these changes would take the onus off the individual to bring an employment tribunal claim if they are discriminated against and shift the focus to taking action and collective bargaining in the workplace to alleviate discrimination taking place in the first place.

- 3.5 It is welcomed that the Commission recommended that the flexible working regulations should be extended to larger groups of workers and that the Government will be extending the regulations to carers in 2007. **However, Amicus's position is that the flexible working regulations should be extended to all workers and that there should be a right to challenge an employer's refusal to work flexibly in an employment tribunal. This would allow more employees to work flexibly and play a key role in changing the long-working hours' culture.**
- 3.6 The £5 million additional funding for the Union Modernisation Fund for capacity building to support the training and development for equality representatives in the public and private sector is welcomed. **However, it is essential to have trained union equality representatives who are backed by full statutory rights. Without statutory backing many equality representatives will not be granted the time needed by employers to carry out their role.** Equality representatives would be fully trained and have the knowledge to promote equality in the workplace and negotiate with employers to take action on equality issues, including equal pay. They can play a key role in achieving a change in practice and culture in the workplace. Amicus has already demonstrated the importance of equality representatives with our Amicus Disability Champions Project. We now have nearly 200 trained Disability Champions promoting and negotiating on disability issues in the workplace.
- 3.7 **More could have been included in the recommendations to tackle the low value placed on women's work, e.g. caring, retail and catering.** We are supportive of the need for the increase in the number of women working in the higher paid occupations traditionally done by men which would go some way to closing the gender pay gap. However, this is not enough because firstly, there is evidence that if women move into traditional male roles then the occupation becomes devalued. This happened in clerical work and more recently in personnel and HR. Secondly, women entering non-traditional jobs may suffer bullying, harassment and isolation if there is no change in culture in the workplace. Finally, even if women were to enter higher-paid occupations in great numbers someone still has to carry out the lower paid jobs. **Amicus recommends that along with improvements to legislation, that the minimum wage should be increased to address this issue. This would improve the income**

**of many low-paid workers and be of benefit to both the Government and the economy with higher tax revenue and the increased spending power of workers.**

3.8 There are some excellent recommendations in the report for action to be taken by the Public sector including equal pay audits, procurement and action to improve the opportunities for part-time workers. However, the report states that “private sector companies should consider the implications of the report for how they operate in order to make the most difference to most women” and is left to take action on a voluntary basis. **As stated previously many employers in the private and not-for-profit sector will not take action on equal pay unless they are compelled to by law.** Many employers in these sectors do not take action because they do not think they have a problem with equal pay. Those that think they have a problem choose to ignore it as it would cost their organisation money and resources to address it. **Amicus would reiterate that the strengthening of legislation is key if progress is to be made in closing the gender pay gap.**

#### **4. Amicus action on the implementation of the Women and Work Commission Report**

4.1 **Two of our industrial sectors, the Finance and the IT and Electronics Sectors, have launched Charters to address women’s pay and opportunities. These were launched at our Sector Conferences and call on employers to sign a Charter to take action on equal pay in partnership with Amicus. Copies of the Charters are attached for your information.**

4.2 All our sectors have discussed, or will be discussing the Women and Work Commission Report, with the view to studying the recommendations and raising the issue with employers. Action that will be taken will vary from sector to sector. For instance, the construction and engineering industries will need to concentrate on attracting more women apprentices, employees, training and skills to tackle the under-representation of women in their industries. In the finance sector women make up 50% of the workforce, but are concentrated in the lower graded jobs, so skills are not such a big issue. In this sector action needs to be taken in the workplace on the long hours’ culture, discrimination and equality training for staff.

4.3 **We will be applying for funding from the Union Modernisation Fund to train representatives on equality.** It is our aim that all negotiating representatives should also be trained equality representatives in order that equality is central to collective bargaining in Amicus. This will bring about real change in policy, practice and culture in the workplace which will improve equality at work and the working lives for our members.

4.4 **Our union learning representatives are already playing an important role in improving the skills of our members. The learning agenda is at the heart of Amicus's work with both members and employers.** We also work with the Sector Skills Councils to ensure that our members are properly represented in this area, including the importance of equality. There are excellent recommendations in the Report for women to up-date their skills which will help us in both negotiating and training on skills for women. It is important that trade unions are fully involved by the Government, Sector Skills Councils, Regional Development Authorities and employers in the learning and skills agenda for women and all strands of equality. We are currently drafting a document on equality and skills to aid our work in this area.

We would welcome the opportunity to discuss the issues further.

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