

STAND FOR PAY EQUITY



In September 2022 TEU members raised two claims for some of the lowest paid, female-dominated roles in university clerical and administration areas and libraries. TEU raised these claims across the eight universities with our partner unions, the Public Services Association (PSA) and the Tertiary Institutes Allied Staff Association (TIASA).

The employers have now agreed that these claims are arguable and worthy of investigation. The Employer and Union working group is meeting regularly to plan the collaborative work we will do together in the assessment phase of the claim process.

Full information about the two claims can be found here: [TEU Stands for Pay Equity](#)

If you want to get in touch, email: Payequity@teu.ac.nz

FAQs

What is involved in taking a gender pay equity claim?

The pay equity claim process consists of three main components:

- **Raising a claim** – includes a claim being raised and the work described, the employer forming a view on arguability, and notifying affected employees and relevant unions.
- **Assessing the claim** – includes assessing the work and remuneration of the claimants and agreed comparator groups using a 'gender-neutral job evaluation tool. Conclusions about undervaluation based on data and evidence collected.
- **Settling the claim** – includes the negotiation and ratification of the proposed settlement by all those covered by the claim. Conclusion of the pay equity claim includes the implementation process and agreed approach for reviewing and maintaining pay equity.

What does 'gender neutral' work assessment mean?

As part of analysing a claim, parties use a work assessment tool that is designed to be gender-neutral, capturing all relevant information about jobs, including skills, knowledge, responsibility and working conditions of the female-dominated occupational role and of male comparator roles.

In 2021 [Te Kawa Mataaho, Public Service Commission](#) facilitated a working group of union and organisation pay equity practitioners to create *Te Orowaru*, a modern, fit for purpose, culturally robust work assessment toolkit for use in gender pay equity claims.

The tool considers the following aspects of work:

- **Skill:** knowledge, problem-solving, interpersonal, physical skills.
- **Responsibilities:** responsibilities for leadership, resources, organisational outcomes, services to people.
- **Demands:** emotional, sensory and physical demands, and working conditions.

More information about *Te Orowaru* can be found [here](#). There are also other similar gender-neutral tools that have been used in previous settlements.

How are male-dominated comparator roles chosen?

- The parties involved in a claim process identify potential comparator roles that have not been historically undervalued but involve related skills and experience, responsibilities, working conditions or degrees of effort to that of the claimant role.
- Comparators do not need to be from the same industry as the claimant role. They also do not have to have the exact same mix of demands and required skills. Pay equity is about comparing the **value of work**, even where that work is different.
- Male-dominated roles are ‘potential’ comparators until they have been assessed and found to involve elements of work that are comparable to the claimant role. The participation of the potential comparator organisations is voluntary.

My role may be covered by the claim, how will my work be assessed?

- The most important source of information about your role will be gathered through interviews with workers like you. Surveys, employment agreements, job descriptions and staffing policies may also be used to support the data gathered in the interviews.
- Multiple interviews about the same role category will be moderated by a team of employer and union assessors and the level of skill, knowledge, effort, and responsibilities of your role category will be agreed.
- Quality assurance processes will be built into the process.

What if there is no undervaluation of my role found?

- If no undervaluation of a specific area of work is found, there will not be any pay adjustment. It may be that different levels of clerical administration or library roles (for example) achieve different pay adjustments or none at all.
- The legislation protects workers from being disadvantaged by any pay equity evaluation of their role, see the section of the Act, “**13ZH Settling pay equity claim**”

(2) A pay equity claim settlement may also include terms and conditions of employment other than remuneration, if the parties agree, but an employer may not reduce any terms and conditions of employment of an employee who has raised a pay equity claim or who is covered by a union-raised claim for the purpose of settling that claim.

Ref:

https://www.legislation.govt.nz/act/public/1972/0118/latest/LMS427332.html?search=sw_096be8ed81ce9df5_reduced_25_se&p=1&sr=0

How can I make sure the nature of my work is properly understood?

- The best way to make sure the true nature of your work is fully understood is to get involved in the process. Joining the TEU will mean you get regular up-dates and lots of opportunities for training and participation in the claims process. If you are interested in joining go to <https://teu.ac.nz/join/>
- Join the pay equity reference group to guide the union claim team.
- Join the TEU branch Pay Equity Action Team group.
- Take up TEU training opportunities to understand the job evaluation process.
- If the opportunity arises to be interviewed about your work – take it.

I didn't get a letter from my employer but think I should have - what should I do?

Contact payequity@teu.ac.nz

The claims cover areas of work within the university sector that are **the same or substantially similar** to the roles set out in the claim. Your employer has determined that your role doesn't meet this requirement. We would like to know about your role so we can follow up with the employers and check that all staff who may be affected by the claim have received the right information.

Please also note that the final scope of the settlement will not be determined until evidence about the full nature of work in the claimant work areas has been gathered.

I did get a letter from my employer but think I shouldn't have - what should I do?

The claims cover areas of work within the university sector that are **the same or substantially similar** to the roles set out in the claim. Your employer has determined that your role meets this requirement. However, the final coverage of any settlement achieved will be based on the rigorous evaluation of data about the nature of work in the roles covered by the claim and whether they are undervalued when compared with roles that have equivalent demands but have not been traditionally underpaid due to gender.

Can I be disadvantaged by a pay equity settlement covering my role?

No, the Equal Pay (1972) Act protects workers from being disadvantaged by any pay equity evaluation of their role:

Equal Pay Act (1972), 13ZH Settling pay equity claim

(2) *A pay equity claim settlement may also include terms and conditions of employment other than remuneration, if the parties agree, **but an employer may not reduce any terms and conditions of employment of an employee** who has raised a pay equity claim or who is covered by a union-raised claim for the purpose of settling that claim.*

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https://www.legislation.govt.nz/act/public/1972/0118/latest/LMS427332.html?search=sw096be8ed81ce9df5_reduced_25_se&p=1&sr=0

What happens if I opt out?

- If you are a member of TEU, PSA or TIASA you cannot opt out.
- If you aren't a member and you opt out, we will not receive your contact details and you will not receive any further information from us.
- You will not be able to vote for or against any proposed settlement.
- You will not benefit automatically from the pay equity claim settlement.
- You will be able to raise an individual claim.

I have just joined the university and think my role might be covered by the claim - do I need to do anything?

No, you do not need to do anything at this stage unless you wish to opt out of the claim (see [Universities NZ](#) for more information). You should receive a letter from your new employer letting you know your role is covered by the claim.

If a proposed settlement covers your role you will be contacted as a "proposed settlement employee" and you will be able to vote on the settlement. If you want more information about the claim please contact Sarah at payequity@teu.ac.nz.