Pay Equity Compliance/Maintenance and Impact of Fair Workplaces, Better Jobs Act, 2017 (Bill 148)

Presenters: Mary Turan, Nicole Watson, Susan Tang

MARCH 1ST, 2018
What we will cover....

1. Overview of Pay Equity Compliance and Maintenance Requirements

2. Review sections of Fair Workplaces, Better Jobs Act, 2017 that have impact on Pay Equity


4. Summary of Key Considerations

5. Questions?

This presentation is not meant to replace any legal advice. We encourage all participants to seek legal advice when encountering application / interpretation of the relevant laws referred to in this presentation.
Pay Equity Act Overview
Canadian Pay Equity Legislation Overview

- What is Pay Equity? Pay Equity is equal pay for work of equal or comparable value.

- The actual jobs may be totally different. The principle underlying Pay Equity is to address the systemic discrimination that contributes to the compensation gap between jobs that have traditionally or historically been dominated by female workers and may have been undervalued and therefore underpaid.

  The underlying assumption is that there is systemic discrimination in pay based on gender, and that this systemic discrimination is widely reflected in the external market.

- Pay Equity legislation is primarily applicable in Ontario, Quebec and Federally Regulated industries.

- Pay Equity is a primary obligation of the employer and the union, where a joint process has been agreed to. The Pay Equity Act primarily operates as a complaint driven process.
### Canadian Pay Equity Legislation

#### Jurisdiction/Governance

<table>
<thead>
<tr>
<th>Federally Regulated Sectors</th>
<th>Province of Ontario</th>
<th>Province of Quebec</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Covered by the Canadian Human Rights Act (section 11)</td>
<td>- Covered by the Ontario Pay Equity Act, 1987</td>
<td>- Covered by the Quebec Pay Equity Act – came into existence on November 21, 1996</td>
</tr>
<tr>
<td>- Equal Wages Guidelines 1986 provide guidance on pay equity provisions and the application</td>
<td>- Applies to all public sector</td>
<td>- Bill 25 – an Act to amend the Pay Equity Act, May 28, 2009</td>
</tr>
<tr>
<td>- Canada Labour Code (section 182) empowers the Labour Program Officer to inspect all records of federally regulated employers to determine whether discrimination in pay based on gender is present</td>
<td>- Applies to all private sector with 10 or more employees</td>
<td>- A company’s obligations under the Act relates to when the company started operations (and had 10 or more employees)</td>
</tr>
<tr>
<td>- Applies to all Federal Public sector and Federally-regulated Private sector, regardless of size</td>
<td>- Compliance by (for private sector):</td>
<td>Compliance by:</td>
</tr>
<tr>
<td></td>
<td>- 1991 – with 500+ employees;</td>
<td>- November 21, 2001 (original date)</td>
</tr>
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<td></td>
<td>- 1992 – with 100 to 499 employees</td>
<td>- December 31, 2010 (new deadline under the Amendment to Act)</td>
</tr>
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<td>- 1993 – with 50 to 99 employees;</td>
<td></td>
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<tr>
<td></td>
<td>- 1994 – with 10 to 49 employees</td>
<td><strong>Upcoming New Legislation</strong></td>
</tr>
<tr>
<td>- Primarily a complaint driven process</td>
<td>- Regular monitoring and audit process</td>
<td>- Annual Declaration (&quot;DEMES&quot;) on-line filing</td>
</tr>
<tr>
<td></td>
<td>- Complaint process</td>
<td>- Audit requirement every 5 years</td>
</tr>
</tbody>
</table>

**NOTE:** Manitoba, Prince Edward Island, Nova Scotia and New Brunswick also have Provincial Pay Equity legislation for Public Sector entities.
What’s New?/Did you know? In Ontario…

ONTARIO TIMES

Letters sent to employers (under the Federal Contractors Program) requesting information on compliance

Employers that act as Vendor of Record for Ontario may also receive monitoring letters

Interest applied at the Commission to all open files

Request for additional years’ analysis/data if adjustment(s) identified in earliest analysis year

Review Officers visiting on-site to examine payroll records

New employers currently being Monitored with 16,000 monitoring letters sent

Changes in Staff at Review Services with New Review Officer – Initial Review Officer

Posting of Notice of Decision and Order summaries on Pay Equity Commission's website
What’s New?/Did you know?

In Quebec….

QUEBEC TIMES

Commission actively monitoring organizations to comply

**DEMES** – requirement to do annual filing

Audit (maintenance) requirement every 5 years

Employers should comply with these obligations in a timely manner and with accurate information in the reporting of activities (i.e. DEMES)

Non-compliance or on-going non-co-operation with Commission may lead to exposing an organization’s name on Commission’s Website
Pay Equity Compliance…?
## Typical Process to Achieve Compliance

<table>
<thead>
<tr>
<th>Step</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Identification of key stakeholders including a JE Committee</td>
</tr>
<tr>
<td>2</td>
<td>Identify the establishment</td>
</tr>
<tr>
<td>3</td>
<td>Identify the job classes</td>
</tr>
<tr>
<td>4</td>
<td>Gather job information and data</td>
</tr>
<tr>
<td>5</td>
<td>Determine gender dominance</td>
</tr>
<tr>
<td>6</td>
<td>Evaluate job classes</td>
</tr>
<tr>
<td>7</td>
<td>Determine job rates</td>
</tr>
<tr>
<td>8</td>
<td>Methods of Comparison: Determine job classes of comparable value</td>
</tr>
<tr>
<td>9</td>
<td>Compare job rates</td>
</tr>
<tr>
<td>10</td>
<td>Identify pay equity adjustments owing</td>
</tr>
<tr>
<td>11</td>
<td>Post pay equity plan(s)</td>
</tr>
<tr>
<td>12</td>
<td>Pay out adjustments</td>
</tr>
</tbody>
</table>
Pay Equity Process:  
*It All Starts with Job Evaluation*

- Since the Pay Equity process involves testing for “equal pay for work of equal value (or comparable value)”, a systematic **job evaluation** system is required to establish the relative value of jobs within an organization.

  - **Skill**: the amount and type of Skill required to perform the job competently
  - **Responsibility**: how much Responsibility the job has
  - **Effort**: how much Effort (physical and mental/sensory) is required in performing job tasks, and
  - **Working Conditions**: the conditions under which the job is performed

- The job evaluation system must be underpinned by consistent, transparent point-factor scoring model (i.e., arithmetic or geometric progression), and must be capable of evaluating the diverse jobs within the employee group.

- Principles of conservatism, consistency and ‘best fit’ apply.
Who is an Employee?

- The Ontario’s *Pay Equity Act* does not provide a specific definition of “employee” except by two exclusions;
  - “employee” does not include a student employed for his or her vacation period – *under section 1.1*
  - under limited circumstances, it may be possible to exclude casual workers – *under section 8.3-4*

- As stated in the *Guide to Interpreting Ontario’s Pay Equity Act*, 7.3(i);

  “All employees including *management, full-time, part-time, contract and seasonal workers* are entitled to pay equity rights under the law…”
Job Classes & Comparison Methods

As prescribed by the Ontario’s *Pay Equity Act*,

- **Defining Job Classes (Gender Predominance):**
  - Female job class – 60% or more
  - Male job class – 70% or more
  ✓ *Also consider historical and stereotypical incumbency*

- **Methods of Comparison:**
  - Job-to-Job - identifying a male comparator
  - Proportional Value (Regression Line) – where there is no direct male comparator, a regression line or pay line of male job classes
  - Proxy *(for public sector employers only who were in existence in July 1993)*
Determine Job Rates

- Maximum pay rate
  - Actual salaries
  - Top of wage grid
  - Hourly rates (if hours of work differs between jobs)

- Include all forms of compensation
  - Bonus, Commission, Benefits, etc.
# Sample Pay Equity Tests – Job to Job & Proportional Value (Ontario)

<table>
<thead>
<tr>
<th>Similar Value Group</th>
<th>Job Title</th>
<th>Total Points (value)</th>
<th>Job Class (Gender)</th>
<th>Job Rate ($)</th>
<th>PAY EQUITY ANALYSIS</th>
<th>Pay Equity Adj</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Job to Job</td>
<td>Proportional Value</td>
</tr>
<tr>
<td>600 649</td>
<td>A</td>
<td>640</td>
<td>F</td>
<td>$56,000</td>
<td>$55,000</td>
<td>$0</td>
</tr>
<tr>
<td></td>
<td>B</td>
<td>635</td>
<td>M*</td>
<td>$55,000</td>
<td>$55,000</td>
<td>$2,000</td>
</tr>
<tr>
<td></td>
<td>C</td>
<td>620</td>
<td>F</td>
<td>$53,000</td>
<td>$55,000</td>
<td></td>
</tr>
<tr>
<td>550 599</td>
<td>D</td>
<td>580</td>
<td>M</td>
<td>$47,000</td>
<td>$44,000</td>
<td>$1,000</td>
</tr>
<tr>
<td></td>
<td>E</td>
<td>575</td>
<td>F</td>
<td>$47,000</td>
<td>$44,000</td>
<td>$0</td>
</tr>
<tr>
<td></td>
<td>F</td>
<td>565</td>
<td>M*</td>
<td>$44,000</td>
<td>$44,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>G</td>
<td>555</td>
<td>F</td>
<td>$43,000</td>
<td>$44,000</td>
<td></td>
</tr>
<tr>
<td>500 549</td>
<td>H</td>
<td>530</td>
<td>F</td>
<td>$39,000</td>
<td>$39,000</td>
<td>$0</td>
</tr>
<tr>
<td></td>
<td>I</td>
<td>510</td>
<td>M</td>
<td>$39,000</td>
<td>$39,000</td>
<td></td>
</tr>
<tr>
<td>450 499</td>
<td>J</td>
<td>480</td>
<td>F</td>
<td>$32,000</td>
<td>PV</td>
<td>$500</td>
</tr>
<tr>
<td></td>
<td>K</td>
<td>470</td>
<td>F</td>
<td>$31,000</td>
<td>PV</td>
<td>$1,400</td>
</tr>
<tr>
<td></td>
<td>L</td>
<td>460</td>
<td>F</td>
<td>$33,000</td>
<td>PV</td>
<td>$0</td>
</tr>
<tr>
<td></td>
<td>M</td>
<td>460</td>
<td>F</td>
<td>$32,500</td>
<td>PV</td>
<td>$0</td>
</tr>
</tbody>
</table>

* Note: Hierarchy of Pay Equity Comparison

1. **Job to Job within Band** (lowest paid Male job is comparator)
2. **Job to Job Lower Band** (higher paid Male job is comparator)
3. **Proportional Value** (Male Pay line is comparator)
Pay Equity Testing – Proportional Value

Proportional Value (PV) / Male Pay Line

$120.00
$100.00
$80.00
$60.00
$40.00
$20.00
$0.00

0 100 200 300 400 500 600

$y = 0.1754x - 6.8448$
$R^2 = 0.9288$
Impacts of Identified Adjustments

- All **current and former employees** in the eligible female job classes are entitled to adjustments, this includes both male and female incumbents.

- Adjustments may be **retroactive** to
  - the last Pay Equity Plan (or the last time pay equity compliance was demonstrated)
  - the existence of the female job class

- Impact on **all pay related programs** such as *overtime, deductions and pension contributions, etc.*

- **Interest** may apply in retroactive obligations
Maintenance Obligations

- Employer’s obligation to maintain:
  - Keep documents current: job information; job evaluations; analysis
  - Ongoing comparison of job rates with male comparator or regression line
  - Introduction of new job classes
  - Significant changes to existing job classes warranting re-evaluation
  - Elimination of Male Comparator job class(es)
Maintenance Obligations, cont’d.

- Changed Circumstances:
  - A new job evaluation system; changing banding methodology; merger/acquisition - “Sale of Business”

- Ability to demonstrate compliance,
  - Prepare Annual Pay Equity Analysis
  - If an organization does not maintain on regular basis, retroactivity will apply back to the period an organization last completed a maintenance assessment (Ontario)
  - CRA – 7 year limit does not apply re: Pay Equity obligations (Ontario)
Maintenance Considerations - Bargaining Unit Positions

- Terms of Reference document with unions
  - Pay Equity v. Internal Equity
  - Job Evaluation Committee v. Steering Committee
  - Frequency of joint job evaluation
  - Dispute Resolution Methods
    - Pay Equity Commission
    - Arbitration
    - Referee – Advisors
Pay Equity Complaints

- Current or former employees
  - Unionized or not

- Unions
  - Even where signatory to a Pay Equity Plan or not
  - Even where collective agreement rates purport to be pay equity compliant

- Unions acting as agents for former non-union employees

- No time limits (Ontario)

- Estoppel/waiver does not apply if non-compliance with PEA

- Random audits by Pay Equity Commission

- Review Officers “adding to” legislative requirements
In Summary…

1. Job Information Collection (Job Descriptions, Questionnaires)
2. Job Evaluation (HR, Committee, use of Benchmark Jobs)
3. Job Evaluation Results Validation (Review with line management by function / across function)
4. Pay Equity Analysis
5. Pay Equity Plan Preparation & Posting / Communication

On-going Maintenance
Relevant Sections of Fair Workplaces, Better Jobs Act, 2017 (Bill 148)
Fair Workplaces, Better Jobs Act, 2017

- Also known as Bill 148 has received Royal Assent on November 27, 2017 and is now law in Ontario
- There are various effective dates for the changes – (see Employment Standards Act, 2000)
- This webinar will only focus on the relevant sections of Bill 148 as they relate to compensation and pay equity impact. There are other changes in Bill 148 (ESA, Occupational Health and Safety, Labour Standards) changes which will not be included in this webinar.
Fair Workplaces, Better Jobs Act: 
*Overview of Relevant Sections that Impact Pay Equity*

The following are the amendments to the Employment Standards Act, 2000 (ESA):

- **Employee Classification** – effective November 27, 2017
  - Prohibition on misclassification of employees: “**Independent Contractors**”
  - Employer has onus to prove that an individual is an independent contractor and not an employee
  - Employer could be subject to penalties
  - No definitive “test” has been established

**Pay Equity Implication:**

Employees (who are not Independent Contractors) in jobs that are filled via contract (e.g. “contract employee”) must be included for Pay Equity assessment
Fair Workplaces, Better Jobs Act: 
Overview of Relevant Sections cont’d

- Leaves of Absence - effective January 1st, 2018
  - Critical Illness Leave
  - Domestic or Sexual Violence Leave
  - Family Medical Leave
  - Pregnancy/Parental Leave
  - Personal Emergency Leave

Pay Equity Implication:
Pay Equity analysis should always include employees where the incumbent(s) are on these types of leaves
Fair Workplaces, Better Jobs Act: 
Overview of Relevant Sections cont’d

- Minimum Wage Increases – effective January 1, 2018
  - January 1, 2018 - $14.00 per hour
  - January 1, 2019 - $15.00 per hour
  - Special Minimum Wage rates also in force, example:
    - Liquor Server Jan 1, 2018 $12.20 Jan 1, 2019 $13.05
    - Student (<18 yrs) Jan 1, 2018 $13.15 Jan 1, 2019 $14.10
  - No obligation to increase the wages of other employees that are above minimum wage, unless there is a pay equity impact

Pay Equity Implication:
All positions that are at minimum wage regardless of job class gender move to new rates on effective dates. However, there may be implications to Proportional Value (PV) or male pay line.
Fair Workplaces, Better Jobs Act:
Overview of Relevant Sections cont’d

- Paid Leave/Scheduling – effective January 1, 2018/2019
  - Personal Emergency Leave (PEL) – all employees are entitled to 10 PEL days per year, including 2 paid PEL days.
  - Scheduling – minimum 3 hours paid for on-call or shift cancellation

Pay Equity Implication:
It is important to keep track of these situations (e.g. hours worked and paid), as it can relate to pay equity obligations owing
Fair Workplaces, Better Jobs Act: 
Overview of Relevant Sections cont’d

- Equal Pay for Equal Work – effective April 1, 2018
  - No differential in pay due to “employment status”
  - Casual, part-time, temporary and seasonal employees are entitled to be paid the same as full-time/permanent employees when performing substantially the same job for the same employer.
  - Temp Staff from an Agency – the Agency is responsible for Pay Equity; However, the job cannot be paid less than its full time permanent version at the client’s workplace.

Pay Equity Implication:
This increase in pay for the part-time jobs as the male comparator will also have an indirect impact to the female jobs.
Pay Equity Impact and Fair Workplaces, Better Jobs Act, 2017 (Bill 148)
Two amendments, significant from a pay equity perspective:

First: Minimum Wage

- Bill 148 - Increase to minimum wage;
  - will impact job rates (at a minimum) and may result in additional increases where minimum wage is used as Step 1 in the wage schedule
  - increases on the base line of the compensation structure may necessitate increases to job rates for other positions to realign pay/relative value in the hierarchy (“compression”)

<table>
<thead>
<tr>
<th></th>
<th>Oct 1, 2017</th>
<th>Jan 1, 2018</th>
<th>Jan 1, 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>$11.60</td>
<td>$14.00</td>
<td>$15.00</td>
</tr>
<tr>
<td>Students under 18</td>
<td>$10.90</td>
<td>$13.15</td>
<td>$14.10</td>
</tr>
</tbody>
</table>

Under Pay Equity, these increases to potential male job classes may impact female jobs in the pay equity plan(s)…resulting in a “ripple effect”
Bill 148: Increased Minimum Wage
Example under the Job-to-Job Scenario

Prior to Bill 148

<table>
<thead>
<tr>
<th>Similar Value Group</th>
<th>Band Width</th>
<th>Job Title</th>
<th>Job Class</th>
<th>Gender</th>
<th>Total Points</th>
<th>Job Rate</th>
<th>2017 Pay Equity Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>From</td>
<td>To</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>201</td>
<td>250</td>
<td>Female Job A</td>
<td>F</td>
<td>236</td>
<td>$14.00</td>
<td>$14.00</td>
</tr>
<tr>
<td>3</td>
<td>201</td>
<td>250</td>
<td>Male Comparator - 2</td>
<td>M</td>
<td>220</td>
<td>$14.00</td>
<td>$14.00</td>
</tr>
<tr>
<td>2</td>
<td>151</td>
<td>200</td>
<td>Female Job B</td>
<td>F</td>
<td>190</td>
<td>$11.60</td>
<td>$11.60</td>
</tr>
<tr>
<td>2</td>
<td>151</td>
<td>200</td>
<td>Female Job C</td>
<td>F</td>
<td>170</td>
<td>$11.60</td>
<td>$11.60</td>
</tr>
<tr>
<td>2</td>
<td>151</td>
<td>200</td>
<td>Male Comparator - 1</td>
<td>M</td>
<td>170</td>
<td>$11.60</td>
<td>$11.60</td>
</tr>
<tr>
<td>2</td>
<td>151</td>
<td>200</td>
<td>Female Job D</td>
<td>F</td>
<td>165</td>
<td>$11.60</td>
<td>$11.60</td>
</tr>
</tbody>
</table>
### Bill 148: Increased Minimum Wage

**Example under the Job-to-Job Scenario**

**Post Bill 148**

<table>
<thead>
<tr>
<th>Similar Value Group</th>
<th>Band Width</th>
<th>Job Title</th>
<th>Job Class</th>
<th>Gender</th>
<th>Total Points</th>
<th>Job Rate</th>
<th>2018 Pay Equity Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>From</td>
<td>To</td>
<td>Job Title</td>
<td>Job Class</td>
<td>Gender</td>
<td>Total Points</td>
<td>Job Rate</td>
</tr>
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<td>3</td>
<td>201</td>
<td>250</td>
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<td>F</td>
<td>236</td>
<td>$14.00</td>
<td>$14.00</td>
</tr>
<tr>
<td>3</td>
<td>201</td>
<td>250</td>
<td><em>Male Comparator - 2</em></td>
<td>M</td>
<td>220</td>
<td>$14.00</td>
<td>$14.00</td>
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<td>2</td>
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<td>Female Job B</td>
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<td>$14.00</td>
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<td>151</td>
<td>200</td>
<td>Female Job C</td>
<td>F</td>
<td>170</td>
<td>$14.00</td>
<td>$14.00</td>
</tr>
<tr>
<td>2</td>
<td>151</td>
<td>200</td>
<td><em>Male Comparator - 1</em></td>
<td>M</td>
<td>170</td>
<td>$14.00</td>
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<td>2</td>
<td>151</td>
<td>200</td>
<td>Female Job D</td>
<td>F</td>
<td>165</td>
<td>$14.00</td>
<td>$14.00</td>
</tr>
</tbody>
</table>

**Compression**
Bill 148: Increased Minimum Wage
Example under the Proportional Value Line

- Impact on Proportional Value (PV) / Male Pay Line:
  - Female job classes that use the Proportional Value method for maintaining pay equity may be impacted if the PV line uses *male jobs that are paid at the new minimum wage rate* as part of the male pay line.

<table>
<thead>
<tr>
<th>Job Title</th>
<th>Job Class</th>
<th>Total Points</th>
<th>Job Rate (2017)</th>
<th>Job Rate (at Jan 1 2018)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Job A</td>
<td>M</td>
<td>750</td>
<td>$45.00</td>
<td>$45.00</td>
</tr>
<tr>
<td>Job B</td>
<td>M</td>
<td>450</td>
<td>$25.00</td>
<td>$25.00</td>
</tr>
<tr>
<td>Job C</td>
<td>M</td>
<td>250</td>
<td>$13.00</td>
<td>$14.00</td>
</tr>
<tr>
<td>Job D</td>
<td>M</td>
<td>220</td>
<td>$11.60</td>
<td>$14.00</td>
</tr>
</tbody>
</table>
Example - Impact of Increased Minimum Wage on PV or Male Pay Line

Proportional Value (Male Pay) Lines
(Illustrating Pre-Minimum & Post-Minimum Wage)

$y = 0.0633x - 2.7693$  
$R^2 = 0.9989$

$y = 0.0597x - 0.4203$  
$R^2 = 0.9931$
Bill 148: Increased Minimum Wage and the Impact on PV

- Under pay equity, a female job with 350 points would be increased to $20.47 per hour when the minimum wage is increased to $14.00 per hour for male jobs that are included in the male pay line.

<table>
<thead>
<tr>
<th>Job Title</th>
<th>Job Class</th>
<th>Gender</th>
<th>Total Points</th>
<th>PV Rate (at Jan 1 2018)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Job F</td>
<td>F</td>
<td>350</td>
<td>$19.35</td>
<td>$20.47</td>
</tr>
</tbody>
</table>

This would mean an additional pay equity increase of $1.12 per hour, or $2,047 per annum for each incumbent in the impacted female job.
Two amendments, significant from a pay equity perspective:

**Second: Equal Pay for Equal Work**

- This new legislation (effective April 1, 2018) will require no employee may be paid less that what is paid to a full time employee of the same employer who performs the same job
  - Ensures *equal pay between employment status*….full time, part time, casual, temporary and seasonal employees
  - Non-gender based

- Two key elements: job content and comparability
  - Document job duties and differentiate using job evaluation, where possible

Consider how male dominated job classes that receive adjustments based on employment status impact female jobs in the Pay Equity Plan(s)
Bill 148: Equal Pay for Equal Work
Example...Comparable Value

Pre Bill 148

<table>
<thead>
<tr>
<th>Similar Value Group</th>
<th>Band Width</th>
<th>Job Title</th>
<th>Job Class</th>
<th>Gender</th>
<th>Total Points</th>
<th>Job Rate $P.HR</th>
<th>Pay Equity Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td>To</td>
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<td></td>
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</tr>
<tr>
<td>2</td>
<td>151</td>
<td>200</td>
<td>Admin Support (FT)</td>
<td>F</td>
<td>195</td>
<td>$16.00</td>
<td>$11.60  $0.00</td>
</tr>
<tr>
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<td>200</td>
<td>Facility Attendant (FT)</td>
<td>M</td>
<td>170</td>
<td>$15.50</td>
<td>$11.60  $0.00</td>
</tr>
<tr>
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<td>151</td>
<td>200</td>
<td>Child Care Attendant (PT)</td>
<td>F</td>
<td>170</td>
<td>$14.00</td>
<td>$11.60  $0.00</td>
</tr>
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<td>200</td>
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<td>170</td>
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<td>$11.60  $0.00</td>
</tr>
<tr>
<td>2</td>
<td>151</td>
<td>200</td>
<td>Reception Desk Staff (PT)</td>
<td>F</td>
<td>165</td>
<td>$13.00</td>
<td>$11.60  $0.00</td>
</tr>
</tbody>
</table>

Both Facility Attendant FT and PT jobs have the same job values but are paid differently. PT Facility Attendant serves as Male Comparator. No pay equity adjustment.
Bill 148: Equal Pay for Equal Work
Example...Comparable Value...and Pay Equity Impact

<table>
<thead>
<tr>
<th>Similar Value Group</th>
<th>Band Width</th>
<th>Job Title</th>
<th>Job Class</th>
<th>Gender</th>
<th>Total Points</th>
<th>Job Rate</th>
<th>Pay Equity Analysis</th>
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</thead>
<tbody>
<tr>
<td></td>
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<td>To</td>
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<td>$16.00</td>
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</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Facility Attendant (FT) and (PT)</td>
<td>M</td>
<td>170</td>
<td>$15.50</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>151</td>
<td>200</td>
<td>Child Care Attendant (PT)</td>
<td>F</td>
<td>170</td>
<td>$14.00</td>
<td>$1.50</td>
</tr>
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<td>2</td>
<td>151</td>
<td>200</td>
<td>Reception Desk Staff (PT)</td>
<td>F</td>
<td>165</td>
<td>$14.00</td>
<td>$1.50</td>
</tr>
</tbody>
</table>

Pay Equity Analysis

<table>
<thead>
<tr>
<th>Job to Job</th>
<th>Pay Equity Adj.</th>
</tr>
</thead>
<tbody>
<tr>
<td>$P.HR</td>
<td>$P.HR</td>
</tr>
<tr>
<td>$15.50</td>
<td>$0.00</td>
</tr>
<tr>
<td>$15.50</td>
<td>$1.50</td>
</tr>
<tr>
<td>$15.50</td>
<td>$1.50</td>
</tr>
</tbody>
</table>

Requiring the PT job to be paid the same as the FT job....resulting in pay equity adjustment.
Bill 148: Equal Pay for Equal Work
Take Action…now!

- How do you address this question of equal pay for equal work?

- Importance of job documentation – do you have job descriptions or other documentation readily available?
  - Importance of job evaluation as a way to address equal pay for equal work
  - Can you differentiate under: Skill, Effort, Responsibility and Working Conditions?

- Need “evidence based” facts to show that you can distinguish the job – do not miss the opportunity to make a case to differential FT v. PT
Checklist:

- Ensure the “tools” are compliant and progressive - Gender neutral comparison system (*ensure all jobs are evaluated including casual, part-time, temporary, seasonal*)
- Be “informed” about your compliance status for all non-union and union employee groups; check for impact of Bill 148 on Pay Equity
- Keep job information up to date (e.g. role profiles, job descriptions/documentations)
- Maintain / keep job evaluation records up to date
- Monitor changes in benefits or compensation structure (i.e. sales, incentive programs)
- Monitor changes in job class gender – can change over time
- Re-evaluate jobs as part of reorganization/merger/acquisition
Questions?

Practical and Innovative Solutions for your Compensation Programs!

Thank You!

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