



## Update #13 – November 2020

### This Update in a nutshell:

- We are still unable to say much in terms of progress beyond that the lengthy and complicated assessment and comparison process is continuing.
- We report on some issues with the selected assessment tools.
- We introduce the Equal Pay Amendment Act, which comes into force today (7 November 2020), and may have an impact on some aspects of our Pay Equity claim.
- The Act is a good thing, and despite the information below being a bit complicated, members working in DHBs can be assured that no action is required in order to remain part of the Pay Equity claim.



Glenda Alexander, NZNO  
Manager Industrial Services  
and NZNO Pay Equity Process  
Co-ordinator

Tēnā koutou katoa,

Since our last update at the end of September work continues steadily on our Pay Equity claim.



### Assessment tool issues

The parties to the Pay Equity claim (unions and employer reps) have shared concerns about the Work Assessment Tool PEAT (Pay Equity Assessment Tool) that we have been using.

We have identified that it does not seem sophisticated enough to assess some of the more complex aspects of nursing work.

We made a collective decision to select a sample of roles and comparators and apply an alternative work assessment tool, the Equitable Job Evaluation (EJE) to evaluate whether there is any significant difference between the two.

Training on the use of the tool for our assessors (union and DHB people) is happening 23-24 November with the assessments taking place immediately following.

The importance of getting the assessments right will have a huge bearing on the final evidence of establishing undervaluation of nursing work and ultimately the Pay Equity settlement.

### Collaboration

As previously reported NZNO, PSA and MERAS are collaborating on our Pay Equity claims because we have overlapping membership of some roles. This has been productive and constructive with positive interactions between the delegates and representative of each union.

We recently discussed the shared issue of how and what we are able to communicate with our members. It is difficult to report more than the fact that the painstaking work of interviews, assessment, validation, verification etc is still being worked through. We understand that is frustrating!



## The Equal Pay Amendment Act (EPPA)

This Act comes into force on Saturday 7 November 2020 and is a significant achievement for working women in Aotearoa New Zealand. It will simplify the process for raising and settling Pay Equity claims in other areas (e.g. Primary Health Care, Māori and Iwi providers, Aged Care etc). However, as with any new legislation there are changes that can impact existing processes, such as our Pay Equity claim – even though we were well underway prior to the Act coming into force.

The most notable issue for us is the requirement for the **employers** to provide information to **ALL** their employees about any Pay Equity claims applying to their workplace – even to employees who are not union members. This is sort of like how employers must currently inform all employees (unionised or not) when unions initiate MECA bargaining.

It is a requirement that the information about the Pay Equity claim is provided to relevant employees (i.e. those whose work is covered by the claim) by the DHBs and we believe this will be done via payroll. The information will also be available from the TAS (Technical Advisory Service) website.

### Opting-out

One somewhat confusing part of this new requirement is advice to employees on how they might “opt-out” of a Pay Equity claim.

For new and existing non-union employees there are forms that must be completed to notify of their

intention to opt-out and there are timeframes within which this must take place.

It is not possible for DHB employees who are union members to opt out, without first cancelling their union membership.

There is also a provision in the Act that covers the issue of fees for non-union members accessing a union raised Pay Equity settlement. While there is no requirement for them to pay a fee to be offered the Pay Equity claim settlement, unions may request a voluntary donation.

### NZNO members employed by DHBs

NZNO members employed by DHBs do not need to do anything if they wish to continue being covered by the DHB/NZNO Pay Equity claim and settlement when it is agreed.

As with any new legislation, its impact is not always clear. Until it is tested in court or until processes are actually worked through. We will be learning more about the application of the new law and will keep members updated.

If you have questions or concerns please send them through to [dhbpayequity@nzno.org.nz](mailto:dhbpayequity@nzno.org.nz). and they will be incorporated into a video update that will be accessible for DHB NZNO members in the next couple of weeks.

More information about the Pay Equity claim is available on the [Pay Equity page](#) of the NZNO website.

