

May 2019

**Excerpts from the letter to the Chief Executives of Auckland, Wellington, Tauranga, Hamilton, Dunedin and Christchurch City Councils outlining our equal pay claim for library assistants.**

“As you will be aware the PSA believes that library assistants, whoever named, working in local government libraries suffer from unlawful gender-based pay discrimination as defined under the Equal Pay Act 1972. This is work that is predominately performed by female employees. Section 3(1)(b) of the Act provides the mechanism for the examination of a potential differentiation in the rate of remuneration on the basis of the sex of employees for work that is performed exclusively or predominantly by female employees. We now seek to further progress this claim on our members’ behalf.”

“Our preference is that the working group examine the claim using the principles and processes agreed by the tri-partite Reconvened Joint Working Group (“the RJWG”)<sup>1</sup> on Pay Equity in January 2018 and which are going to be passed into law later this year. These principles were supported by Crown, employer and union representatives as being a more efficient and simpler process for examining claims than proceeding through the court system, which is the only other route under the Equal Pay Act.

**Work performed predominantly by women**

The RJWG amended principle 2A defines the first step in determining whether to proceed with a pay equity claim as being that the “work must be predominantly performed by women”<sup>2</sup>.

Amended principle 2B notes that in addition to 2A above, it should be arguable that:

“The work is currently or has been historically undervalued do to, for example:

- i. Any relevant origins and history of the work and the wage setting for it;
- ii. Any social, cultural or historical factors which may have led to undervaluing or devaluing of the work and the remuneration paid for it;
- iii. There is or has been some characterisation of the work as “women’s work”;
- iv. Any social, cultural or historical phenomena whereby women are considered to have “natural” or “inherent” qualities not required to be accounted for in wages paid”.<sup>3</sup>

In its covering letter explaining the requirements of amended principle 2B the RJWG clarified that the assessment of historical undervaluation is intended to be a light touch and that it is not necessary for all of the examples in part 2B and C to be present for a claim to proceed.

The work of library assistants is predominantly performed by women. An international literature review commissioned by the PSA found that library work developed as a female-dominated occupation during the first half of the twentieth century. In a 2015 report on *Women at Work: 1991-2013*, Statistics New Zealand ranked the occupational category of “Library, mail and related clerks” as the eighth most female-dominated occupation<sup>4</sup>. In 2013 81.6 per cent of the workforce was female. This compared to 79.3 per cent in 1991. Further the PSA believes that the skills, responsibilities, conditions of work and degree of effort involved have historically been undervalued because the work has predominantly been performed by women. In addition, the reorganisation of work in libraries and dramatic changes in the interface between library workers and the public has meant that the work of library assistants has continued to be undervalued.

On this basis we believe that the PSA’s claim on behalf of its members should proceed.”

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<sup>1</sup> Reconvened Joint Working Group on Pay Equity Principles (2019). “Recommendations of the Reconvened Joint Working Group on Pay Equity Principles”. Retrieved from <https://www.beehive.govt.nz/sites/default/files/2018-03/RJWG%20Pay%20Equity%20Principles%20letter%20of%20transmission%20FINAL%20.pdf>.

<sup>2</sup> Op cit, p.5

<sup>3</sup> Ibid

<sup>4</sup> Statistics New Zealand (2015) Statistics NZ (2015) Women at work: 1991–2013. Retrieved from [www.stats.govt.nz](http://www.stats.govt.nz).

