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EMPLOYMENT LAW ALERT

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What's Women's Day without equal pay?

Women's Month is a time of reflection. While we may have achieved formal equality, substantive equality is elusive. The gender pay gap between men and women remains prevalent.



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What's Women's Day without equal pay?

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Women's Month is a time of reflection. While we may have achieved formal equality, substantive equality is elusive. The gender pay gap between men and women remains prevalent.

The gender pay gap essentially refers to the difference in pay between women and men. It's a measure of inequality and captures a concept that is broader than "equal pay for equal work". According to a United Nations (UN) report published in 2020, globally women earn 77 cents for every dollar men earn for work of equal value, with an even wider wage gap for women with children. The UN estimates that at the current rate it will take another 257 years to close the global gender pay gap. From a sub-Saharan perspective, the gender pay gap for women with children stands at a stagnant 31%.

Some of the reasons associated with the gender pay gap internationally are that women continue to be concentrated in lower-paid, lower-skill work with greater job insecurity and are under-represented in decision-making roles. In addition, women carry out at least two and a half times more unpaid household and care work than men.

Globalization, digital innovation and climate change, among other factors, continue to change the world in which we work, posing both challenges as well as opportunities in realising women's economic potential.

In the South African context, a research article published by Anita Bosch and Shimon Barit titled "*Gender pay transparency mechanisms: Future directions for South Africa*", indicated that South Africa could be regarded as a champion of gender equality in Africa (with a first-place ranking on the Africa Gender Equality Index and 19th place globally amongst 149 countries on the Gender Gap Index) and that its rankings can, to a large degree, be ascribed to the legislative environment as an empowerment driver.

The Employment Equity Act 55 of 1998 (EEA) offers protection to employees and determines that no one may be discriminated against based on gender or sex (amongst other categories). The principle of equal pay for work of equal value has been codified in terms of



3 WEEKS TO GO

ANNUAL WEBINAR
THE NEXT NORMAL AND THE FUTURE OF THE EMPLOYMENT RELATIONSHIP

KEYNOTE SPEAKER:
 Cameron Sello Morajane, Director of the CCMA

DATE: 16 September 2021 **TIME:** 09h00–13h00 (CAT)

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What's Women's Day without equal pay?*...continued*

One of the ways in which the gender pay gap can be limited is through better gender representation across sectors and occupations that were historically segregated because of gender-based discrimination.

section 6 of the EEA and in terms of the Code of Good Practice on Equal Pay/ Remuneration for Work of Equal Value which was published in 2015. However, work remains to close the divide.

One of the ways in which the gender pay gap can be limited is through better gender representation across sectors and occupations that were historically segregated because of gender-based discrimination. However, this must be accompanied by a concerted effort to ensure that violence and harassment against women are eliminated. Allegations of sexual harassment, bullying and other gender related discrimination must be taken seriously and dealt with decisively so that women remain in the workforce.

Women offer half of the world's potential and unleashing this potential requires access to decent, good-quality paid work on an equal pay for equal work basis. According to the UN, the economics make sense. If women played an identical role in labour markets to that of men, as much as US\$28 trillion, or 26%, could be added to the global annual gross domestic product over a 10-year period. Organisational will and a restructuring of the employment relationship to accommodate women's reality is not only necessary, it's also good for business.

Aadil Patel, Riola Kok and Tony Phillips

2021 RESULTS

CHAMBERS GLOBAL 2014 - 2021 ranked our Employment practice in Band 2: Employment.

Aadil Patel ranked by CHAMBERS GLOBAL 2015 - 2021 in Band 2: Employment.

Fiona Leppan ranked by CHAMBERS GLOBAL 2018 - 2021 in Band 2: Employment.

Gillian Lumb ranked by CHAMBERS GLOBAL 2020 - 2021 in Band 3: Employment.

Imraan Mahomed ranked by CHAMBERS GLOBAL 2021 in Band 2: Employment.

Hugo Pienaar ranked by CHAMBERS GLOBAL 2014 - 2021 in Band 2: Employment.

Michael Yeates ranked by CHAMBERS GLOBAL 2020 - 2021 as an up and coming employment lawyer.



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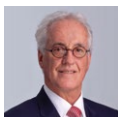
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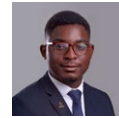
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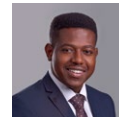
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BBBEE STATUS: LEVEL ONE CONTRIBUTOR

Our BBBEE verification is one of several components of our transformation strategy and we continue to seek ways of improving it in a meaningful manner.

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