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XO/03/22

**To:** DCLs in Federally Regulated Sector  
Attn: Sean Burns, Local President, International Development Research Centre

**From:** Chris Aylward, National President

**Date:** February 3, 2022

**Subject:** **Pay Equity Act and Committee Representative**

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## Purpose of Act and Key Dates:

The *Pay Equity Act* came into effect August 31, 2021. This new proactive pay equity law applies to nearly all federally regulated employers with 10 or more employees and is a tremendous opportunity to ensure members in female dominated job classes are receiving equal pay for work of equal value. Please note, the Act does not currently apply to the governments of the Territories or Indigenous governing bodies.

The purpose of “pay equity” under the *Pay Equity Act* is to address “*systemic gender-based discrimination in the compensation practices and systems of employers that is experienced by employees who occupy positions in predominantly female job classes so that they receive equal compensation for work of equal value*” (*Pay Equity Act*, Section 2). The law is designed to proactively identify and remedy systemic gender-based discrimination in Employer pay practices.

It is important to be aware that the term “**pay equity**” has a very specific meaning under the law and is distinct from more general problems of pay fairness in relation to industry comparators, which should be addressed in collective bargaining. Only employees in female dominated job classes who are found to be systemically discriminated against via employer compensation practices will be provided pay adjustments through the pay equity process. Rest assured no salaries will be reduced by pay equity plan outcomes and the pay equity process is entirely separate from collective bargaining.

Employer notices in the workplace should have been posted by **November 1, 2021**, and the work of establishing joint committees is set to begin as soon as committees are established, and representatives are determined. These joint committees will generally have only 3 years to complete their work and post a pay equity plan, with ongoing pay equity maintenance taking place every 5 years.

### **Pay Equity Committee Composition:**

The *Pay Equity Act* requires that a bargaining agent must select at least one representative to the joint pay equity committee and that the pay equity committee must be composed of at least 50% women (Section 19(1)).

**To comply with these minimum requirements of the Act, PSAC as bargaining agent is requesting that DCLs put forward the names and contact information of at least one representative and one alternate for each federally regulated Employer.**

The deadline for DCLs to submit names to PSAC at [payequity-equitesalariale@psac-afpc.com](mailto:payequity-equitesalariale@psac-afpc.com) will be **February 28, 2022**.

PSAC recommends DCLs **give priority to representatives who identify as female and representatives with experience in classification and pay equity**. At a minimum, representatives must be committed to union principles, including human rights and ending systemic gender-based discrimination.

Once PSAC receives and formally approves the submitted names, a letter to DCLs and their selected representative(s) confirming their appointment will be issued. PSAC will also be providing a list of approved resources and contact information so that representatives can receive “sufficient direction” to perform their work as required by the Act (Section 21 (2)).

DCLs should communicate with their members that their Employer will be establishing a joint pay equity committee to comply with the *Pay Equity Act*. Union representatives on the committee will be composed of local members. Members should be encouraged to put their name forward to their Local if they are interested in participating and DCLs will ultimately select and send their recommended names to PSAC negotiations section for formal approval. PSAC negotiations section expects to generally rubber stamp DCL recommendations. PSAC as bargaining agent has the authority under the *Pay Equity Act* to appoint representatives, so local members cannot simply appoint themselves without PSAC approval. DCLs should contact PSAC negotiations section if they receive a pay equity meeting request from their employer and no representatives have been determined or recommended.

**A specialized email address has been established by PSAC negotiations section to facilitate communications, respond to questions and provide advice and guidance, [payequity-equitesalariale@psac-afpc.com](mailto:payequity-equitesalariale@psac-afpc.com).**

### **Representative Responsibilities:**

Representative(s) will play an important role in addressing systemic gender-based discrimination in employer compensation practices through their participation on a joint pay equity committee. Committee representative(s) will be responsible for the following:

- Ensuring the pay equity committee process advances the interest of all members to whom the Pay Equity Plan applies.

- Reporting back to PSAC negotiations section for questions and guidance.
- Ensuring PSAC negotiations section is consulted on key parts of the plan (i.e. job evaluation plan and method used to quantify pay gaps) as we may want to vet or at least comment on. PSAC has no desire to micro-manage or delay committee processes or decisions as it pertains to items like sub-factor ratings as it is neither practical nor desirable to manage committee decisions in such a way.
- Taking meeting minutes and saving all documents/data presented or shared at committee meetings
- Sharing material and meeting notes upon request to PSAC Negotiations section.
- Informing PSAC Negotiations section of any disputes of significance at the committee or any requests made to the Commissioner

PSAC technical guidance and support will be made available but timely requests will be essential.


### **Training:**

PSAC will be developing training on the *Pay Equity Act* and classification principles for all representatives.

For more general information on the *Pay Equity Act* see:

- <https://www.payequitychrc.ca/en>
- <http://psacunion.ca/faq-federal-pay-equity-act>
- <http://psacunion.ca/glossary-federal-pay-equity-act>

In solidarity,



Chris Aylward  
National President

c.c.: Directors Team, Ashley Bickerton, David-Alexandre Leblanc, Linda Cassidy