

Summary of the Pay Transparency Framework

New Brunswick Coalition for Pay Equity

The Coalition proposes a standalone *Pay Transparency Act* to assist with proactively enforcing the existing rights to equal pay for equal work, equal pay for work of equal value and fundamental human rights.

A. Employer Obligations

1. Provide pay information in job postings, including hourly pay, salary range and progression, benefits, and pension information for all advertised positions, whether internal or public.
2. Make information regarding job positions and pay structures accessible to employees.
3. Collect confidential self-identification information from workers on a voluntary basis.
4. Conduct Equal Pay Reviews within job classes, i.e. compare wages to ensure equal pay by job status and for equity groups (women as well as workers who are Indigenous, racialized, Black, with disabilities or from the 2SLGBTQIA+ community).
5. Post their Equal Pay Review results annually in their workplace and/or on their website.
6. Employers with 10 or more employees:
 - i. Analyze their pay structure to identify pay gaps between equity groups and the reference group(s), including job clustering and differences in hourly wages, overtime, and bonuses, using both median and mean measures. This assessment must examine pay structure through a human rights lens to ensure proactive compliance with equal pay and non-discrimination provisions.
 - ii. Post the analysis of their pay structure annually in their workplace and/or on their website.
 - iii. File the analysis of their pay structure with the Pay Equity Bureau.

B. Worker Protections

1. Comprehensive anti-reprisal protections ensure that no worker is penalized for:
 - i. making inquiries about their own pay or others';
 - ii. exchanging or sharing information about compensation with colleagues;
 - iii. asking questions about Equal Pay Reviews and the analysis of their pay structure;
 - iv. requesting employer compliance with the Act or filing a complaint with the Pay Equity Bureau.
2. Employers are prohibited from:
 - i. using a candidate's compensation history to determine pay;
 - ii. requiring employees to sign non-disclosure agreements that limit the discussion of pay with colleagues or others.

C. Enforcement and Accountability

1. Designate the Pay Equity Bureau as the enforcement body, supported by three additional compliance officers, to:
 - i. conduct educational sessions on pay transparency;
 - ii. carry out inspections and audits to ensure compliance;
 - iii. issue enforceable orders;
 - iv. impose penalties for non-compliance;
 - v. publish an annual report summarizing employers' pay transparency reports.