



WE Party Conference
Kettering 7 – 9 September 2018

Title: Making equal pay and equal caregiving a reality in the modern labour market

Proposed by: WE Policy Committee

Co-Proposer: Eleanor Hemmens

Co-Proposer: Harini Iyengar

Type of motion: Policy motion

Motion text:

- 1 WE call on the government to reform section 1 of the Employment Rights Act 1996 in order to
- 2 achieve equal pay and equal caregiving, in a practical and effective way, in the modern labour
- 3 market.
- 4 Section 1(2) should be amended to require the statement of initial employment particulars to be
- 5 provided to the employee or candidate for employment “at the time at which the offer of employment
- 6 is made by the employer to the employee”, instead of “not later than two months after the beginning
- 7 of the employment”.
- 8 Section 1(4) should be amended to impose an additional requirement on all employers to inform all
- 9 employees in the statement of initial employment particulars what maternity and parental rights are
- 10 offered under the contract of employment, including attendance at ante-natal care and adoption
- 11 appointments, maternity leave, maternity pay, paternity leave, paternity pay, shared parental leave,
- 12 shared parental pay, adoption leave, adoption pay, unpaid parental leave, and flexible working, and
- 13 any non-contractual policies must also be provided.
- 14 A new subsection should be added to section 1 to require all employers with over 250 employees to
- 15 publish on their company website their policies for employees on maternity and paternity rights
- 16 including attendance at ante-natal care and adoption appointments, maternity leave, maternity pay,
- 17 paternity leave, paternity pay, shared parental leave, shared parental pay, adoption leave, adoption
- 18 pay, unpaid parental leave, and flexible working.



Motion rationale:

19 Under the current out-of-date law, an employer is required to provide an employee with a statement
20 of initial employment particulars only within two months of the employee starting work. Further, the
21 employer is not required to provide the employee with details of maternity and parental rights
22 offered under the contract of employment, including attendance at ante-natal care and adoption
23 appointments, maternity leave, maternity pay, paternity leave, paternity pay, shared parental leave,
24 shared parental pay, adoption leave, adoption pay, unpaid parental leave, flexible working, or any
25 non-contractual policies.

26 In the modern labour market, where few employees enjoy a stable job for life, and short-term
27 working is common, many women (in particular) and men with caring responsibilities outside their
28 employment are disadvantaged in competing for jobs because they do not know at the time at which
29 they receive the job offer what their contractual rights are and what policies are in place in the
30 employer's organisation, relating to maternity and parental rights.

31 Many women and men are afraid to request maternity and paternity rights information at the time of
32 the job interview or job offer, for fear of not receiving a job offer. A Glassdoor survey in 2014 found
33 that "While happy to ask about holidays, pensions and healthcare, [...] 78 per cent of women would
34 not question a potential employer about maternity benefits at interview stage, for fear that it would
35 jeopardise a job offer"¹.

Reference:

¹<https://www.telegraph.co.uk/women/womens-business/11223661/Maternity-benefits-Women-feel-unable-to-ask-employers-about-maternity-benefits.html>

Statistics behind this Motion

- * 54,000 women a year are pushed out of their jobs due to pregnancy or maternity leave (EHRC 2016)
- * 77% of working mums have encountered negative or discriminatory treatment at work (EHRC 2016)
- * 2.2 million people stay at home to look after children, 60% of whom are looking to get back to work (My Family Care Survey 2015)
- * 40% of employers say they would avoid hiring a woman of childbearing age (Slater and Gordon 2015)
- * 84% of generation Z and millennials seek flexibility when job hunting and the UK economy would be £165 million richer/more productive if all businesses got on board (Government's capital and wellbeing report 2017)
- * Nearly half of working mums think working flexibly has affected their ability to progress their career, although almost three quarters identify flexible work as crucial to getting more women into senior roles, (Workingmums.co.uk annual survey 2017)
- * 44% of working mums say they earn less than before they had children (Working mums research 2017)

For further statistics see, for example, Pregnant Then Screwed <http://pregnantthenscrewed.com/fact-and-stats/>

Current Wording of Section 1 of the Employment Rights Act 1996

<https://www.legislation.gov.uk/ukpga/1996/18/section/1>