

# CHATTERTONS

The Lincolnshire Solicitors

## The Equality Bill

At the end of April 2009 the Government published the Equality Bill. The bill's most discussed provision, however, which would have required employers to publish the differences between male and female earnings, will only be enforced if too few firms with over 250 employees do not voluntarily publish such details by 2013.

Peter Lawson a partner in Chattertons says:

"The bill allows "positive action" – where two people are equally suitable for the job, an under-represented person could be chosen instead of the over-represented category, and public bodies would have a new duty to "consider what action they can take" to reduce socio-economic inequalities. As the bill is not yet law, now would be a good time for employers to consider whether their current practices are fair, or whether there are big and unexplained discrepancies between pay of men or women or other discrimination in their company. It will also provide further protection for the elderly and disabled.

The Government sums up the changes as follows:

1. Introducing a new public sector duty to consider reducing socioeconomic inequalities;
2. Putting a new Equality Duty on public bodies;
3. Using public procurement to improve equality;
4. Banning age discrimination outside the workplace;
5. Introducing gender pay and equality reports;
6. Extending the scope to use positive action;
7. Strengthening the powers of employment tribunals;
8. Protecting carers from discrimination;
9. Protecting breastfeeding mothers;
10. Banning discrimination in private members' clubs; and
11. Strengthening protection from discrimination for disabled people.

It will also be an offence to discriminate against someone because of their association with another protected group. It would be unlawful to discriminate also because someone was perceived to be gay. The Bill is likely to receive royal assent next year.

**For further information call Peter Lawson on 01205 310025**