

Overview	Legal Change	Action required
<p>Gender Equality Plan New gender equality and pay transparency rules coming into force.</p>	<p>On January 14th, 2021 the law on Gender Equality Plan (<i>Plan de igualdad</i>) comes into force.</p> <ul style="list-style-type: none"> - Companies with 100 or more employees must negotiate an equality plan by 7 March 2021. - Companies with 50 or more employees must negotiate an equality plan by 7 March 2022. - Companies that already have an equality plan (or are able to register one before 14 January 2021) have until 14 January 2022 to ensure its compliance with the new law. <p>Equality plans must be negotiated with the company's employee representatives or trade unions. Entities within the same group can negotiate a single equality plan.</p> <p>Negotiations involve carrying out an audit to analyse the company's entire operation, including hiring and selection procedures, professional classification systems, training, promotion, working conditions, work-life balance, the under-representation of women, remuneration, steps to prevent sexual or gender-based harassment and the establishment of grievance and whistleblowing procedures.</p> <p>The equality plan must set out corrective measures to address any issues of inequality, an agreed timeline, and arrangements for follow up and evaluation.</p> <p>Once negotiated and approved (either by the Works Council or the trade union), the equality plan must be registered with the Register of Collective Bargaining Agreements and Collective Labour Agreements.</p> <p>Additionally, companies must conduct an equal pay audit to evaluate jobs based on the principle of equal pay for work of equal value, with compensation and promotion broken down by gender. A timetable must be agreed for implementing corrective measures and arrangements for follow up and evaluation.</p>	<p>Review your headcount and diarise the deadlines as applicable.</p> <p>Allow yourself at least 3 months to complete the entire process.</p> <p>If your company has 100+ employees but does not have employee representatives, consider setting up a Works Council to avoid having to negotiate with trade unions.</p> <p>Penalties for breaches apply.</p>
<p>Equal Pay and gender pay gap reporting Obligations coming into force.</p>	<p>With effect from April 14th, 2021 companies must keep a remuneration register covering all employees, including executives and senior managers.</p> <p>The register must be updated annually and must include average and median pay data broken down by gender (including bonuses and extra pay), fringe benefits broken down by gender and the appropriate professional classification (e.g. position and roles). An explanation for any gender pay gap of 25% or more</p>	<p>Start reviewing your pay structure well in advance of the deadline.</p> <p>Breaches regarding the non-discrimination obligations in regards to pay may lead to penalties ranging from €6,251 to €187,515 (depending on the seriousness) and other sanctions.</p>

	<p>must be provided.</p> <p>Employers must consult with their employee representatives 10 days prior to the publication of the register.</p> <p>The government is due to publish further information and provide software to help companies maintain their registers.</p> <p>Collective agreements must apply the principle of equal pay for jobs of equal value. After evaluating all positions of equal value, companies must compare pay by gender and identify any gender pay gaps.</p>	
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This is a high level general update only. Legal advice should be obtained on specific circumstances.