



Managing the Jelly Fish

Equal Pay is like a jelly fish; straightforward in concept, slow, and gender neutral. A somewhat amorphous body that has long and difficult to see tentacles. A jellyfish will ponderously seek its prey out, sting, immobilise and draw it into the fleshy translucent centre to feed. However, jellyfish are not inherently dangerous to humans although it is best to be wary of the obvious dangers. Live and let live. Biodiversity.

Few people will disagree with the philosophy of Equal Pay for Equal Work. Perhaps, the caveat of 'market forces' modifies the philosophy into Equal Pay Opportunities for Equal Work Opportunities. The jellyfish of Equal Pay is anaesthetising those bravely swimming close in order to co-exist whilst largely ignoring those safely paddling away. The management of Equal Pay is changing with a reluctance to emulate the marathon multi-year implementation projects and an increasing number of tentacle stings. Despite some high profile organisations making a virtue out of their jellyfish husbandry, the public sector is in the vanguard of pain and experiencing such stings as:

- Massive bureaucracy out of keeping with modern thinking
- Horrendous financial cost
- Best value implications
- Huge resources required to deliver the project
- Communication issues of logistics and content
- Increasing complexity and constraint of case law
- Conflicts between employment laws
- Litigation by Unions
- Litigation by independent agents
- Equal pay questionnaires
- Freedom of information act
- Protection arrangements challenged
- Compensation payments challenged
- No sign of Government funding for Local Authorities
- Major Unions sued or wary of external litigation

"Mess with pay and you'll rue the day". Equal Pay would be fine if it made the jellyfish smile but despite significant payouts many people are finding the changes uncomfortable. Despite more winners than losers (some losers being the inevitability of the predator's actions) there is general dislike of the outcomes. Lets be realistic, it's a jellyfish not Royal Jelly!

Equal Pay management is surely changing.

Firstly, Equal Pay structures have been designed and introduced driven by the factors of affordability, red circles and green circles. Weird, inconsistent and illogical grading and pay range decisions made that were designed to soothe the implementation stresses. In the future, with increasing requirement to not only achieve pay equity but also demonstrate common sense justification, pay structures will need to be more thoughtfully developed. Pay structures will be monitored through pay transparency and understanding and perhaps tested through the courts. The implementation cost largely becomes an outcome not the controlling feature. This may cause more stinging pain earlier on (but be careful, jellyfish stings may lead to paralysis) but it is good for the longer term health.

Secondly, the Employment Relations scene has probably changed forever. The stance of the Unions, stung by the far reaching potential of the Middlesbrough tribunal, must surely become more cautious. Management now deciding, Unions not siding. Is active partnership still a working proposition? There are suggestions of more aggression in relation to Equal Pay proposals, increased actions taken on behalf of members, rear guard action to mitigate criticisms.

Thirdly, will the apparent success of the independent litigants produce a growth in tentacles? (I forgot to tell you about the jellyfish tendency to group together)

The future of Equal Pay will need to be managed much better. Organisations will adopt a Risk Management approach and consider their options in the context of their own situation. Complacency will fall away as the implementation of Equal Pay inexorably gathers increased momentum through further compulsion and possible increased flexibility of legal requirements.

New Equal Pay project strategies will be formulated

- Is it just Equal Pay or an opportunity to re-organise and modernise?
- Who will participate and with what remit?
- How will negotiations be conducted and with whom?
- What efficient and effective processes will be used?
- How far does 'transparency' and information disclosure go, where is the interface between clarity of purpose and detail of implementation?
- How is it best to communicate reviewed pay systems, recognising realities but taking best advantage?

Equal Pay will happen. But be wary of the tentacles and respect its' right to exist in the vast sea of the modern business world.



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