

Annual Conference 2025



PAY EQUITY – IMPACT OF THE 2025 AMENDMENTS

A PAPER FOR THE NZPPTA ANNUAL CONFERENCE 2025



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RECOMMENDATIONS

1. That the report be received.
2. That PPTA Te Wehengarua actively promotes pay equity as a fundamental mechanism for recognising the **dignity, value, and societal contribution of women's work**, and as a cornerstone of gender equity in the workplace.
3. That PPTA Te Wehengarua rejects the 2025 Amendments to the Equal Pay Act, which have created an unworkable system and effectively removed the rights of workers to pursue pay equity claims, and calls for those amendments to be repealed.
4. That PPTA Te Wehengarua calls for all cancelled pay equity claims, including the Teachers' Pay Equity Claim, to be restored and settled.
5. That the PPTA calls on all political parties to commit to implementing a **fair, accessible, and effective pay equity system** as part of their election manifestos, ensuring that the principle of equal pay for work of equal value is upheld across all sectors.
6. That the PPTA Te Wehengarua continue to take all necessary steps to **protest the legislative changes**, including public advocacy, coalition-building, and legal avenues where appropriate.

1. BACKGROUND – EQUAL PAY ACT 1972 AND PAY EQUITY CLAIMS

- 1.1 After a long journey of campaigning from unions, human rights activists and academics, the Equal Pay Act 1972 was passed. It sought to remove and prevent sex-based discrimination against paid employees by their employer.
- 1.2 In 2012, Kristine Bartlett, a care and support worker, with the support of her union, filed a claim against the TerraNova rest home company with the Employment Relations Authority. This case argued that Bartlett's work was underpaid – not in relation to male support workers, but because the whole workforce was female-dominated and therefore subject to sex-based discrimination. In 2015, the Court of Appeal's judgement held that the Equal Pay Act 1972 required not only equal pay for equal work, but for equal pay for work of the same value (pay equity).
- 1.3 Following this land-mark case, the Joint Working Group on Pay Equity Principles was formed. They sought to provide a framework and a set of principles for unions, employers and workers to progress pay equity claims outside of the courts. Two pay equity claims were settled in 2018, following these principles (for Oranga Tamariki social workers and education support workers). The working group was reconvened, following a change of government in 2017, to simplify the process, and this led to the Equal Pay Amendment Bill 2020. Over 100,000 workers had their pay corrected over multiple pay equity settlements between the 2020 amendments and 2024.
- 1.4 In the education sector, there have been pay equity settlements for teacher aides, kaiārahi i te reo Māori, school admin support staff, school therapists, school librarians and library assistants, and school science technicians.
- 1.5 Crucially, pay equity settlements for those in the public sector have been 'a key contributor toward closing public service pay gaps'¹ – for example, in the largest drop in that pay gap on record (2019), one third of the reduction was directly linked to the 2018 pay equity settlements (mentioned earlier).
- 1.6 Pay equity processes provide a fundamental mechanism for recognising the dignity, value and social contribution of women's work, and must be protected and enhanced.

2. TEACHERS' PAY EQUITY CLAIM

- 2.1 The teachers' pay equity claim was formed after the Secretary of Education consolidated two pay equity claims raised by PPTA Te Wehengarua and NZEI Te Riu Roa in late 2020.
- 2.2 The claim covered around 95,000 teachers, middle leaders and principals across the sector – from secondary, area and primary schools and the employees of over 520 private and community-based early childhood centres.
- 2.3 Union members and Ministry analysts completed over 300 interviews with teachers across the sector and 300 interviews with their supervisors. The purpose of these interviews was to fully scope the work performed by teachers and school leaders. We analysed and collated this data and sent out to all teachers for review. Based on the feedback, we completed more interviews to fill identified gaps.

¹ <https://www.publicservice.govt.nz/assets/DirectoryFile/Report-Pay-Equity-background-and-current-context.pdf>

2.4 The data was gathered using the PEAM (Pay Equity Aromatawai Mahi) work assessment tool, which had been used to settle six education sector pay equity claims between 2020 and 2025. The tool assesses a range of factors, including the skills and experience required to perform the work, the responsibilities undertaken, the working conditions and the demands placed on the employee. This helps to uncover the less visible aspects of the work that can lead to undervaluation.

2.5 We identified and started interviewing potential comparators using the same tool. We were about to start the scoring process to quantify the data for teachers and some potential comparators when the Government, under urgency, passed the amendment bill that retrospectively cancelled all current claims.

3. IMPACTS OF THE 2025 AMENDMENT BILL

3.1 The Equal Pay Amendment Bill 2025 included significant changes that cause fundamental challenges. **The amendments mean that the Equal Pay Act 1972 no longer provides a process that enables teachers to achieve pay equity.**

3.1.1 Key issues:

3.1.1.1 Higher bar to enter a claim

- 2020 amendment: approximately 60% female workforce, historically or currently undervalued, short explanation required.
- 2025 amendment: 70% female workforce for 10 consecutive years, must prove the work is both historically AND currently undervalued (for a claim said to 'have merit').
- Unions must now present substantial evidence up front – making it harder and take much longer just to start a claim.

3.1.1.1.1 **What this means for PPTA Te Wehengarua:** Secondary teachers don't meet the 70% threshold, as they are around 63% female. OIA documents demonstrate that the Minister of Education and other relevant Ministers were advised that secondary teachers and principals would not meet this new threshold. There's a small chance a claim for teachers only could be consolidated again (with NZEI Te Riu Roa, as primary and ECE are more than 85% female) but there are real risks due to increased employer powers listed below. We are also uncertain whether the rich data gathered collaboratively with the Ministry would be allowed to be used again, or if we would have to start the entire process from scratch.

3.1.1.2 More Power to Employers

Under the 2025 amendments, Employers:

- Have more time to respond (60 working days instead of 45).
- Can decide a claim does not have 'merit' and stop it before it starts.

- Can opt out of multi-employer claims without good reason, forcing separate processes.
- Can decide that the work performed by people in the claim is not the same or substantially similar and shut the claim down.
- Can decide there are no ‘appropriate’ comparators and shut the claim down.

3.1.1.2.1 **What this means for PPTA Te Wehengarua:** Under the previous pay equity process, all roles covered by the teachers’ claim—including classroom teachers, school leaders (such as principals, deputy and associate principals), and specialist teaching staff (such as guidance counsellors, itinerant teachers of music, e-learning teachers, Resource Teachers for Learning and Behaviour (RTLBs), Learning Support Coordinators, and Special Educational Needs Coordinators)—were treated as performing ‘the same or substantially similar’ work.

3.1.1.2.2 This was because they are all required to hold a current practising certificate and meet the same Teaching Council standards. The teachers’ claim also included untrained and unregistered teachers (e.g. those holding a LAT (Limited Authority to Teach) in the schooling sector and untrained ECE teachers). This was because the unions’ view was that these roles were performing substantially similar classroom teaching work.

3.1.1.2.3 However, the Government’s amendments create significant risk. Even if a new claim were lodged by the PPTA with NZEI Te Riu Roa, an employer could now determine that the work of certain employees is not ‘the same or substantially similar’, effectively reducing the scope of the claim. This amendment appears designed to allow employers to fragment claims and exclude groups, such as principals and other leaders, based on arbitrary role-specific functions (e.g. time spent in offices versus classrooms), even though they share the same professional credentials and standards as teachers.

3.1.1.2.4 This provision could also be used to exclude other certificated roles that have always been included under the umbrella of the teaching profession in pay equity work to date.

3.1.1.2.5 The most significant barrier, however, is the amendment regarding comparators. Even if a new claim were able to proceed, employers would likely declare that no suitable comparators exist, due to the Government’s new imposed hierarchy for assessing comparability—effectively preventing teachers from ever being able to progress a claim.

3.1.1.3 Comparator Rules Make Claims Impossible

The new law imposes a rigid hierarchy for choosing male-dominated comparator jobs, stating they must be performing the same or

substantially similar work:

1. Within the same employer.
2. From similar employers.
3. From the same industry or sector.
4. From other settled claims – but only those settled after 2025.

3.1.1.3.1 **What this means for PPTA Te Wehengarua:** These rules deliberately block teachers from finding valid comparators, because the whole education sector is female dominated. While there are small pockets of male-dominated roles, for example, school ground staff and caretakers, their work is not the same or substantially similar to teaching. The Government has chosen to rule out female-dominated comparators from claims settled before the 2025 amendments. This is an intentional decision to prevent teachers from making comparison with education roles that have received pay equity settlements – including school therapists, school librarians, school science technicians, teacher aides, kaiārahi i te reo Māori, and school administrators. Comparison with these roles would have led to a significantly sized settlement for teachers, which the Government is refusing to pay.

3.2 **Bottom Line:** The amendments to the Act entrench sex-based pay discrimination. They lock work that's important to all of us – like care, education, administration – into being undervalued. They take money from the pockets of workers it should have gone to – who are mostly women, in low-paid mahi.

3.3 The Government's changes make it impossible for secondary teachers to raise or progress a pay equity claim. This dismantles an agreed process, wastes years of work, and undervalues the profession.

3.4 Moreover, the 2025 amendments have created an unworkable system and have effectively removed the rights of workers across Aotearoa to pursue pay equity claims under the Equal Pay Act 1972. PPTA Te Wehengarua calls for the Government to restore and settle all cancelled pay equity claims, including the Teachers' Pay Equity Claim.

4. PPTA RESPONSE TO THE 2025 AMENDMENTS

4.1 PPTA Te Wehengarua has taken initial actions to protest against the amendments and campaign for the restoration of a fair process for achieving pay equity. This has included:

- Supporting, organising and participating in rallies, protests and community meetings across Aotearoa. Including a budget day action at Parliament with an online day of action from members.
- Providing resource materials to support MPs' responses to the legislative changes, for readings of the amendment bill, question time and parliamentary written questions.

- Joining with our fellow unions to create and promote the petition to protect pay equity, [Protect Pay Equity - stop scrapping equal pay claims and law](#), which was presented to parliament on Wednesday 23 July with over 90,000 signatures.
- PPTA Te Wehengarua submission to the People's Select Committee on Pay Equity. The People's Select Committee is a group of 10 former women MPs from across the political spectrum who have come together to receive submissions from individuals and groups who were not able to be heard as the Government bypassed select committee stages (by passing the Amendment Bill under urgency). You can read PPTA's written submission on our website.
- Offering opportunities for 'pay equity champions' to engage in cross-union training and PLD.
- Collaborating with NZCTU affiliates to take a case to the High Court in relation to the changes.

4.2 With PPTA Te Wehengarua member support, we will continue to take all necessary steps to protest legislative changes, including public advocacy, coalition-building, and legal avenues where appropriate. As we head into an election year in 2026, PPTA Te Wehengarua seeks to call all political parties to commit to implementing a fair, accessible, and effective pay equity system as part of their election manifestos.