

September 28, 2021

Trish Altass, MLA  
Second Floor, Coles Building  
175 Richmond Street  
Charlottetown, PE  
C1A 1H8

**Re: Feedback on Proposed Pay Transparency Legislation**

Dear Ms. Altass

The Greater Charlottetown Area Chamber of Commerce (GCACC) welcomes this opportunity to provide feedback on your proposed Pay Transparency legislation. While we agree with the overall intent of the proposed Bill, and its progressive nature, we have several areas of concern. This letter serves as our submission on the matter.

The Island business community has experienced a challenging 28 months. The effects and impacts of COVID-19 remain and they will be felt for years. It is important that public policy reflect the stark realities of today and that it help create a business environment that encourages growth.

GCACC is a strong supporter of pay equity in the workplace, and therefore the merits of this draft legislation, but is not convinced that it is necessary. Further, we see it as adding additional layers of red-tape at a time when employers are most concerned about finding workers.

GCACC is also concerned about the additional resource capacity that will be needed to effectively monitor the pay transparency file across the province. If implemented and not properly managed, this legislation has the ability to place a significant burden on both government and business.

Based on feedback received from our members, here is our specific response to the provisions in your proposed legislation:

- ***Required public job postings to include the salary range for the advertised position.***

Some companies are in a very competitive job market where salaries are negotiated. Often, in these scenarios, the potential employer is competing with other companies. In today's labour market where workers are scarce, this happens often. If this legislation was to pass, and all salaries were to be posted, this could lead to certain companies being severely disadvantaged. A race to the top can place financial strain on individual businesses and eventually make it unsustainable to attract and retain quality employees, and can create financial hardship.

GCACC is also concerned that given today's current online environment, individual employees may face uninformed criticisms regarding their pay, and similarly companies, regarding their pay scales.

These are not public funds and therefore not public information. If individual companies would like to post their staff salaries voluntarily, that is fine, but making it a legislative requirement is not something the GCACC can support.

- ***Prohibit employers from inquiring about a prospective employee's past compensation (to prevent pay discrimination in a previous workplace from information a worker's future compensation).***

GCACC agrees with this aspect of the legislation. We do, however, think that employers should still be permitted to ask what an employee's pay expectation is, as this is a different line of inquiry and not a direct question about past compensation.

- ***Protect employees who discuss their compensation with other employees from reprisals by their employer.***

GCACC agrees with this aspect of the draft legislation. This should not be happening in 2021.

- ***Require larger employees (proposed as employers with 100 or more employees) to file annual pay transparency reports with government to demonstrate they are achieving pay equity.***

GCACC notes that the administrative and enforcement aspects of this draft legislation will be substantial. It is of the opinion that the current public service may not have the capacity to review and analyze the vast amount of information being required by the Bill. GCACC also questions what enforcement measures an individual or organization will face for noncompliance.

As stated above, the proposed legislation will create additional red tape for businesses and we are concerned that it may not have any positive impact or resolve the issues the legislation is intended to address.

GCACC acknowledges that the intention of the legislation has merit given its goal of ensuring equitable pay for equitable work. There are existing measures in place that work towards this objective; GCACC directs you to groups such as the Advisory Council on the Status of Women and the PEI Coalition for Women in Government, who have worked on this issue in the past.

Discussions should continue, as we agree that we should strive to ensure pay equity, and transparency where it is warranted. This organization wants to be a part of implementing progressive policy changes, and looks forward to continuing this dialogue as this file evolves.

Sincerely,



Robert Godfrey  
Chief Executive Officer