

Our Ref: JM/CAT

Your Ref:

FAO: Miss C Adeyemi
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Dear Miss Adeyemi

World Economic Forum Global Shapers Community

I write in support of the Global Shapers' intersectionality campaign.

It has been unlawful for almost 50 years for women and men to be paid differently for the same work. However, it has taken half a century, some prominent equal pay scandals (such as the BBC equal pay cases that Mishcon de Reya is leading) and more legislation – this time to compel businesses to identify and report on another equally important issue – the gender pay gap – for the tide to feel like it is finally turning against this particular type of sex discrimination. With the issue high on the agenda of most businesses, equal pay between the sexes might become a reality for the next generation of workers. It may however be some considerable time before businesses start looking closely at the impact of other protected characteristics on pay.

Indeed, there is currently no equivalent law in the UK for other protected characteristics such as disability, race or sexual orientation. Any claim for inequality of treatment suffered by those groups in the workplace, including in respect of pay, must be brought under the standard discrimination provisions in the Equality Act. The government's announcement that it is to require UK businesses to publish their ethnicity pay gap should raise awareness of this issue, however concrete proposals or regulations are yet to be seen.

But what is the effect on pay of having more than one protected characteristic – or indeed of characteristics, such as social class, that are not currently classified as 'protected' in law? The effect of intersectionality on pay will likely be more nuanced, and the causes more complex, than the effect of a single characteristic, and we would welcome more research into this area. Diversity is good for business, and no group should be underpaid or underrepresented.

Yours sincerely

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Partner

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