

Unifor Submission to the Review of Pay Transparency in New Brunswick

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Submitted by email: peb-bes@gnb.ca

Unifor is Canada's largest private-sector union, representing more than 320,000 workers in every major economic sector and region, including tens of thousands of workers in Atlantic Canada. Unifor has played a key role in advancing pay equity and pay transparency legislation at both the federal and provincial levels. On behalf of Unifor members and workers across New Brunswick, we welcome the opportunity to provide input into the province's pay transparency measures.

Average income data from [Statistics Canada](#) reveals that women in New Brunswick made nearly \$12,000 less per year than men in 2023, amounting to a gender pay gap of 21 cents per dollar in men's earnings. Meanwhile, New Brunswick's [Income Fact Sheet](#) from 2023 shows that the income gap between visible minorities and those who are not a visible minority is substantial, with visible minorities in the province experiencing a total income gap of between 9% and 38%. Likewise, total Indigenous incomes trailed non-Indigenous incomes by 14%, rising to 21% when measuring employment income alone.

In light of ongoing, systemic pay differentials in the province of New Brunswick, pay transparency measures are urgently needed so that underrepresented and marginalized groups do not fall even further behind. While pay transparency is not a panacea for addressing these differences, and the extension of robust pay equity measures to the private sector must be implemented as soon as possible, shedding light on structural pay gaps and carefully identifying their extent in every workplace are critical steps needed to begin tackling the problem.

Unifor calls on the Government of New Brunswick to implement a robust pay transparency regime with the following elements:

1. **Public Pay Transparency Reports:** In order to provide true transparency to the public, the province must mandate that employers produce an annual pay transparency report, which is publicly accessible. To help smaller employers prepare for the new reporting system, the introduction of this requirement might be staggered, starting with employers that have 50 or more employees, before encompassing all employers one or two years afterwards. Without public reports, there will be little incentive for employers to address identified gaps, nor will it be possible for the public to hold employers to account.

2. **Pay Transparency Encompassing All Equity Groups:** Reported pay gaps should go beyond simple gender binaries and include gender identity, job classification, occupational group and all equity-seeking groups. As noted above, systemic pay gaps in New Brunswick are not simply a gender-based issue but cut across multiple equity dimensions. Pay transparency requirements must prescribe an intersectional approach to data collection, analysis and reporting.
3. **Extend Pay Transparency to Job Postings:** All job postings and employment advertising in the province of New Brunswick must be required to include specific salary information or a salary range of no greater than \$10,000 per year, unless a range in excess of \$10,000/year is prescribed by a collective bargaining agreement. This requirement must encompass recruitment campaigns, help wanted signs and internally posted positions.
4. **Annual Pay Transparency Report:** Pay transparency provisions must require the Minister of Labour to table an annual report identifying pay gaps across equity groups and regions within the province, pay gap trends, employer compliance, progress closing pay gaps, and policy recommendations to effectively tackle structural pay inequalities and inequity in New Brunswick.
5. **Duty to Consult and Cooperate with Indigenous Peoples:** As in British Columbia, the province must require the Minister of Labour or Director of Pay Transparency (see below) to provide written notice to each Indigenous entity authorized to act on behalf of Indigenous peoples who may be impacted by the publication of the report. Indigenous entities who indicate that they wish to be consulted must be provided with access to the draft report and opportunities to provide comment.
6. **Independent Oversight Officer:** The province must establish an independent Director of Pay Transparency role within the Department of Post-Secondary Education, Training and Labour, responsible for providing employer guidance, monitoring compliance, aggregating pay transparency data from employers, receiving and addressing complaints, and producing public reports.
7. **Substantial Penalties for Ongoing Non-compliance:** Employers who violate new pay transparency requirements should be given the opportunity to redress their mistakes. However, those who repeatedly flout pay transparency rules must face escalating administrative penalties, geared towards the size of the enterprise and the number of previous violations. A table of administrative penalties should be developed and published alongside the new pay transparency provisions.

Implementing a pay transparency regime with the elements outlined above would significantly advance our understanding of how structural pay gaps are embedded across

New Brunswick's workplaces, while providing clear targets for policy measures to rectify some of the prevailing inequities. As noted above, however, pay transparency is not sufficient on its own and must be accompanied by robust pay equity provisions that are applied to every workplace in the province. The government must therefore urgently update New Brunswick's *Pay Equity Act (2009)* and extend it to the private sector.

Unifor stands ready to work with the province to ensure that New Brunswick's pay transparency and pay equity measures serve as leading examples of how to effectively address structural pay gaps and advance economic justice in Canada.

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