



Equal Pay - A one day course

This course is aimed at professionals with a good working knowledge of the general principles of discrimination. It is designed to provide guidance on the current state of the law relating to equal pay with particular reference to current issues regarding major reorganisations in pay systems. It will consist of a series of PowerPoint presentations conducted in an open and participative style with discussion and debate encouraged throughout.

Course Programme

Welcome and Introduction

Setting objectives for the day

The Equal Pay Framework

Equal pay and international law

The European dimension and Article 141

The Equal Pay Act and the Sex Discrimination Act

Equal Work

Like work

Work rated as equivalent - job evaluations and the single status process

Work of equal value

The Equality Clause

Identifying comparators - predecessors and successors

Operation of the equality clause

Swings and roundabouts - clause by clause comparison or an overall view?

The Genuine Material Factor Defence

Establishing the defence

Is there a need to provide justification?

The European view of justification

The GMF Defence - continued

Market forces

Seniority and length of service

Productivity bonuses and additional payments

Collective bargaining history

Performance-related pay

Equal Pay Litigation

- Employment Tribunal procedures
- Equal value and the independent expert
- Large-scale claims
- Time limits
- Remedies and back-pay

Key strategic issues for public sector employers

- The role of trade unions in pay reform - the Stefan Cross effect
- Equal Pay audits - the legal downside
- Implementing changes in pay systems