A Woman v Chief Constable of the Police Service of Northern Ireland

Sex discrimination proceedings brought in the Industrial Tribunal which settled on 26 July 2016.

Summary

The Claimant is a woman and has been employed in the Respondent’s Fingerprint Bureau. She was promoted to senior fingerprint officer in August 2008.

The Claimant complained that, unlike two male senior fingerprint officers within the Fingerprint Bureau, she was not been permitted to progress to two ‘pay leads’ once she reached the penultimate point in her pay scale. She alleged that there was a difference of pay which disadvantaged her as a woman.

The Respondent agreed that the Claimant would be placed on personal Pay Point 1 with effect from 1st August 2015. The Claimant moved to personal Pay Point 2 with effect from 1st August 2016, until such times as the substantive pay scale (i.e. HPTO) would exceed that value as a result of normal pay awards, at which time the salary point would progress in line with normal arrangements. Should the Claimant move out of a Senior Fingerprint Officer post, her personal pay point in excess of the maximum of the HPTO scale would be removed. The Respondent agreed to pay to the Claimant basic pay, overtime rates and shift disturbance allowance with effect from 1 August 2015 and from 1 August 2016. Underpayment in respect of Pay Lead 1 will be paid as arrears through payroll, being basic pay and shift disturbance allowance together with a sum in respect of overtime. The overtime figure will be calculated on the basis of overtime worked in the relevant period to determine precise figures for the difference of what has already been paid and what is due and overtime will be automatically adjusted to ensure that the figure for overtime due to the Claimant will be paid through payroll within an agreed timeframe. The Respondent agreed to apply to the Claimant any and all applicable provisions relating to the non-consolidated bonus. The Respondent affirmed its commitment to the principle of equality of opportunity in employment and to ensuring that its practices and procedures complied in all respects with its obligations under national and European equality law and the relevant Codes of Practice and Guidance.

The Respondent undertook to liaise with the Equality Commission to review its equal opportunities policies and procedures and, in particular, those policies and procedures concerning equal pay. The Respondent further undertook to consider and implement if appropriate such recommendations as the Commission may make, within a reasonable time scale.